

PAIA MANUAL

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000.

This manual applies to:

HR XCHANGE (PTY) LTD
Registration number: 2017/201449/07

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Form C attached hereto

1. **Introduction**

HR Xchange (Pty) Ltd is a private company, incorporated according to the laws of the Republic of South Africa.

HR Xchange is a generalist recruitment agency who provides recruitment services for permanent and temporary or contract staff. The company maintains a database of candidates. The company offers HR Services such as payroll solutions, response handling and pre-employment verifications.

2. **Contact Details**

All requests for information in terms of the Act must be in writing and addressed to the Information Officer of HR Xchange as set out below.

Telephone : 011 894 6712
Fax : 086 411 8161
Email : info@hrxchange.co.za
Website : www.hrxchanage.co.za
Director : Theresa McDonald

Information Officer

Name : Andrew McDonald
Telephone : 011 894 6712
Email : Andrew@hrxchange.co.za

3. **The Act**

- 3.1 The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

- 3.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address : Private Bag 2700, Houghton, 2041
Telephone Number : 011 877 3600
Fax Number : 011 403 0625
Website : www.sahrc.org.za

4. **Applicable Legislation**

- Companies Act No. 71 of 2008
- Close Corporations Act No. 25 of 2002
- Basic conditions of the Employment Act No.75 of 1997
- Compensation for Occupational Diseases Act No. 130 of 1993
- Electronic Communications and Transactions Act No. 2 of 2000
- Employment Equity Act of 1998, as amended
- Income Tax Act No. 58 of 1962
- Occupational Health and Safety Act No. 85 of 1993
- Promotion of Access to Information Act No. 02 of 2000
- Skills Development Act No.97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No 89 of 1991
- Labour Relations Act of 1995 as amended
- Employment Services Act No. 4 of 2014.
- Regional Services Council Act 109 of 1985
- Unemployment Contributions Act 4 of 2002
- Employment Tax Incentive Act 26 of 2013
- Broad-Based Black Economic Empowerment Act 53 of 2003

5. **Schedule of Records**

- Supplier Records
 - Contact information
 - Contractual agreements
 - Account information
 - General correspondence
- Client Records
 - Contact information
 - Contractual agreements
 - Account information
 - General correspondence
 - Staffing requirements
- Candidate Records
 - Contact information
 - Contractual information
 - Experience and qualification
 - Account information
 - General correspondence

- Marketing Records
 - Market information
 - Media releases and advertising
 - Sales records
 - Customer/client database
 - Customer /client information
- Financial Records
 - Financial statements
 - Tax records
 - Management accounts
 - Assets inventory
- Administration Records
 - Documents issued to employees for income tax purposes
 - Records of payments made to SARS on behalf of employees
 - All other statutory compliances: - VAT, Regional Service Levies, Skills Development Levies, UIF, Workmen's Compensation
 - Personnel Documents and Records: - Employment contracts, Employment Equity Plan (if applicable), Medical Aid Records, Pension Fund records, Disciplinary records, Salary records, SETA records, Disciplinary code, Leave records, Training records, Training manuals.
 - Staff recruitment policies
 - Employee records
 - Policies and procedures
 - Remuneration records
 - Performance records
 - Skills requirements
 - Minutes of management meetings
 - Minutes of staff meetings
 - Correspondence

6. **Information Request Procedure**

- 6.1 The requester must use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 6.2 Address your request to the Information Officer listed in clause 2.
- 6.3 Provide sufficient details to enable HR Xchange to identify:
 - a) The record(s) requested;
 - b) The requester (and if an agent is lodging the request, proof of capacity);
 - c) The form of access required;
 - d) The postal address or fax number of the requester in the Republic;
 - e) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - f) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

We will respond within 30 days of receiving the request, indicating whether your request for access has been granted or denied.

Please note that the successful completion and submission of a request does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis on their own merits, and HR Xchange reserves the right to decline to grant access to records in accordance with the provisions of the Act.

7. **Prescribed Fees**

The following applies to requests (other than personal requests):

- 7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid.
- 7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

9. **Manual Availability**

The manual is available at the offices of the South African Human Rights Commission and www.hrxchange.co.za.

Copies may also be obtained from the Information Officer of HR Xchange (Pty) Ltd. In respect of hard copies, any transmission costs or postage will be for the account of the requester.

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000))

[Regulation 10]

A. Particulars of private body

The Head:

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: _____

Telephone Number: _____

Email 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.

Full names and surname: _____

Identity number: _____

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. **The 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 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (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.
- (c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images
(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	copy in computer readable form* (Stiffy or compact disc)
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'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

Postage is payable.

G Particulars of right to be exercised or protected

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

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. 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 _____ 20____

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE