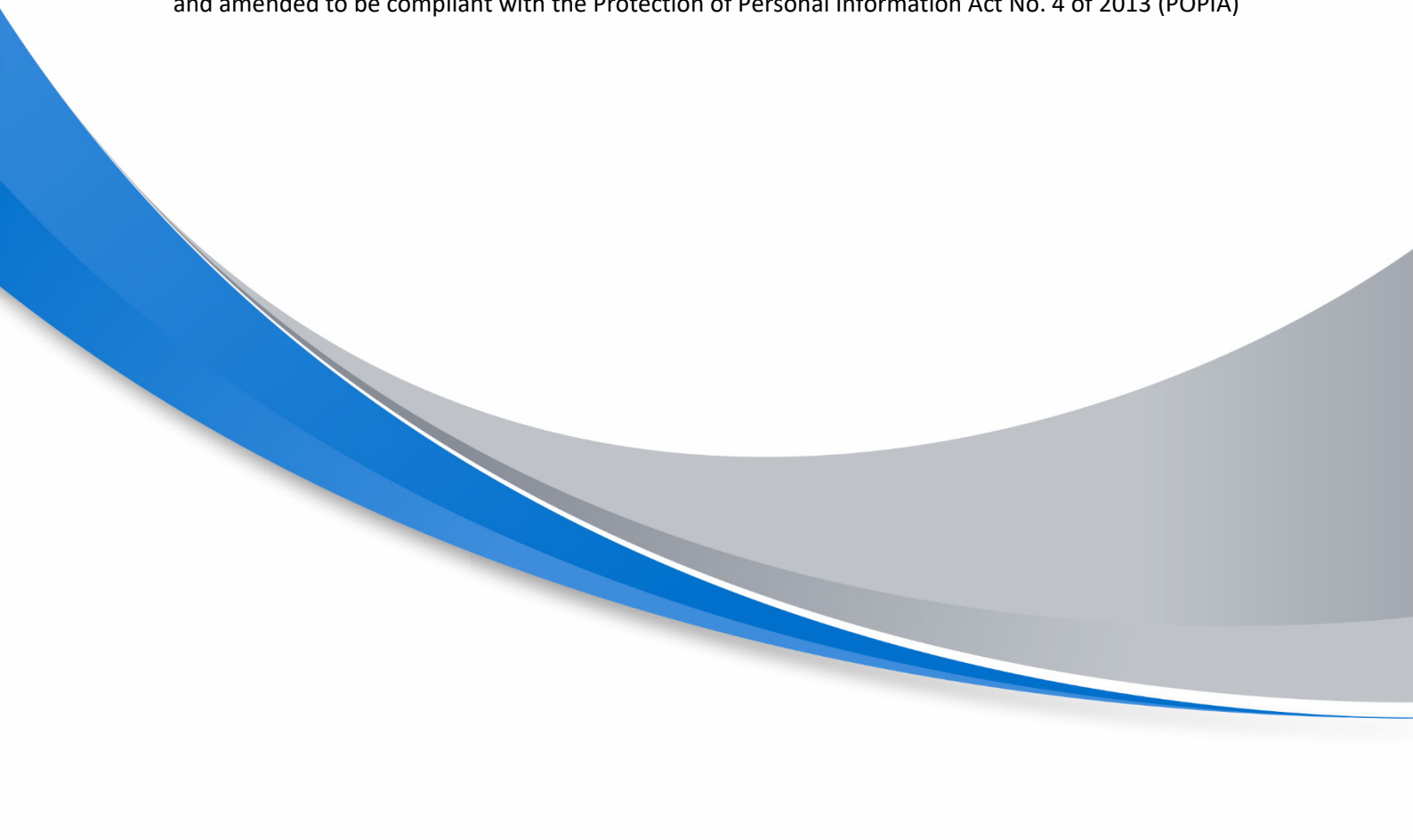




University of Fort Hare
Together in Excellence

ACCESS TO INFORMATION USER MANUAL

Compiled in terms of s14 of the Promotion of Access to Information Act No. 2 of 2002 (PAIA)
and amended to be compliant with the Protection of Personal Information Act No. 4 of 2013 (POPIA)



1. PURPOSE OF THE MANUAL

This manual:

- 1.1 informs members of the public of the categories of information held by the University, and which may, subject to the grounds of refusal listed in the Act, be disclosed after evaluation of an access application being made in terms of the Act;
- 1.2 details the procedure to be followed by a requestor; and
- 1.3 in compliance with POPIA, details the purpose for which personal information is processed, a description of data subjects whose personal information may be processed by the University as well as the categories of personal information relating to such data subjects, as well as the recipients to who personal information may be supplied.

2. FUNCTION AND STRUCTURE OF THE UNIVERSITY

2.1 Function

The University of Fort Hare (UFH) is a juristic person and is deemed a university by, and operates in term of, the Higher Education Act 101 of 1997 as amended. The University is also governed by its Institutional Statute and Institutional Rules. The primary function of the University is teaching, learning, research and public service.

1.2 Structure

The governance of the University is regulated by the Higher Education Act, 1997 (as amended) and the amended Institutional Statute 2020. The Act constitutes the principal legal framework for higher education institutions in South Africa and provides for the establishment of the governance structures; among other offices and structures and as set out hereinafter, each with distinctive roles. The Institutional Statute is the governance instrument used to interpret the higher education policy into the governance practices of the University and gives effect to the Act.

Governance Structure	Role and Accountability
Council	Governs the University subject to the Act and Institutional Statute and has the final authority.
Council Committees	Function as delegated by the Institutional Statute and Council and are accountable to Council.
Management Executive Committee (MEC)	Assists the Vice-Chancellor in the management and administration of the University and is accountable to the VC and Council.
Extended Management Team (EMT)	Assists the MEC in the management and administration of the University and is accountable to the MEC and Council.



Senate	Regulates all learning, teaching, assessment, research and academic functions and is accountable to Council.
Institutional Forum	Advises Council on certain matters affecting the Institution and is accountable to Council.
Student Representative Council	Represents students in all aspects of student life and is accountable to the student body, the VC and Council.
Senate Committees	Function as delegated by Senate and are accountable to Senate.
Faculty Boards	Responsible for the monitoring and the oversight of teaching, learning, research, community engagement and are accountable to Senate.

3. CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICERS

Information Officer	Position	Address	Email
Prof S Buhlungu	Vice-Chancellor	<u>Physical:</u> 1King William's Town Road, Alice, 5700 <u>Postal:</u> Private Bag X 1314, Alice, 5700	vc@ufh.ac.za
Deputy Information Officer	Position	Address	Email
Mr N Zuma	Registrar	Same as above	nzuma@ufh.ac.za
Dr R Masha	Deputy Registrar: Academic Administration		rmasha@ufh.ac.za
Mr. Matumba	Chief Financial Officer		CMatumba@ufh.ac.za
Dr C Johl	Director: ICT		cjohl@ufh.ac.za
Dr P Tladi	Director: HR		ptladi@ufh.ac.za
Ms T Mapukata	Director: Institutional Advancement		tmapukata@ufh.ac.za
Mr P Mvulana	Director: Properties and Services		pmvulana@ufh.ac.za
Dr C Bitso	Director: Libraries		cbitso@ufh.ac.za
Dr H Mabasa	Director: International Office		hmabasa@ufh.ac.za



Prof V Nkonki	Director: Teaching and Learning	vnkonki@ufh.ac.za
Mr. L Tshikhudo	Dean of Students	LGTshikhudo@ufh.ac.za
Prof. L Cilliers	Acting Dean: Management and Commerce	LCilliers@ufh.ac.za
Prof I Van Niekerk	Acting Dean: Health Sciences	leonvn@ufh.ac.za
Prof. V.S Mncube	Dean: Education	vmncube@ufh.ac.za
Prof. N Roos	Dean: Social Sciences and Humanities	nroos@ufh.ac.za
Prof Aliber	Acting Dean: Sciences and Agriculture	maliber@ufh.ac.za
Dr N Lubisi	Dean: Law	nlubisi@ufh.ac.za
Prof M Simatele	Acting Dean: Research	msimatele@ufh.ac.za
Mr. M Nomana	Student Representative Council	srcpresident@ufh.ac.za

4. CONTACT DETAILS FOR INFORMATION REGULATOR

Postal Address	P.O.BOX 31533 Braamfortien Johannesburg 2017
Physical Address	JD House 27 Stiemens Street Braamfortein Johannesburg 2001
General enquiries	infoereg@justice.gov.za
Complaints	complaints.IR@justice.gov.za
Website	https://justice.gov.za/infoereg

5. REQUEST FOR ACCESS IN TERMS OF PAIA AND FEES PAYABLE

5.1 Requests for access to records held by the University must be made on Request Form A, available from the University's website (www.ufh.ac.za) or from the Registrar's Office (Administration Building, Ring Road, 1 King William's Town Road, Alice), or can be downloaded from the SAHRC website (www.sahrc.org.za).

5.2 When a record is requested, the following will apply:

- Request Form A must be completed.



- On the Request Form all details must be completed.
- If the Requester is acting on behalf of someone else (e.g. an attorney acting on behalf of a client), the signature of the other person (i.e. the client) must appear on the form and the University shall have the right to verify that the person on whose behalf the request is being made did indeed authorise such request.
- The Requester must state in which form (inspection of copy, paper copy, electronic copy, transcript, etc.) s/he wants to access the information.
- If the record is part of another record, the Requester will only be granted access to that part of the record that pertains to the information s/he wants or is entitled to, and not the rest of the record.
- Fees may be payable. These fees are prescribed by law, and can change from time to time. The fee list is available on Annexure C at the end of this document.

5.3 All requests will be evaluated against the provisions of the Act. The Act allows the Information Officer to refuse access on grounds stipulated in the Act. The University is obliged under the Act to respond to a request for access to information held by it within 30 days of receipt of the request. The Act provides for other processes that can be followed by a Requester should his/her request under the Act be denied.

5.4 There are two types of fees payable in terms of the Act, namely:

- the request fee, which is a standard fee of R35;
- and the access fee, which will be calculated by taking into account reproduction costs, search and preparation time and costs, as well as postal costs.

5.5 A requester who seeks access to a record containing personal information about himself/herself is not required to pay the request fee.

5.6 Any other requester, who is not a personal requester must pay the prescribed fee.

6. VOLUNTARY DISCLOSURE

The following information is available to the public and does not require an application for access under the Act:

- Any information contained in any publicly accessible websites operated by the University.
- Any information published by the University in any books, magazines, brochures or other material form that has been made available to the public by the University.

The information referred to above may include, without limitation, the following:

- the mission and objectives of the University and all its various arms;



- the statutes, rules, regulations and policies of the University;
- the organogram/structure of the University, including names and offices of office-bearers;
- programs and courses offered by the University;
- admission requirements, application forms, fees, and any other information necessary to facilitate public engagement with the University in the promotion of its objectives;
- some research and academic initiatives that the University is involved in.

The following personal information is available without recourse to the Act only if requested by the person that the information pertains to directly (i.e., the Requester is requesting access to his/her own personal information):

- academic records;
- records of merit awards or mentions;
- records of extra-curricular activities;
- records of disciplinary hearings and/or verdicts;
- graded papers submitted by the Requester in the course of his/her academic pursuits at the University;
- financial statements relating to the Requester's financial obligations to or rights against the University

7. RECORDS HELD IN TERMS OF OTHER LEGISLATION

The University holds records in terms of the following legislation (the list is not exhaustive):

- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Children's Act 38 of 2005
- Companies Act 61 of 1973 and 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Electronic Communications and Transactions Act 25 of
- Employment Equity Act 55 of 1993
- Higher Education Act 101 of 1997
- Income Tax Act 95 of 1967
- Labour Relations Act 66 of 1995
- Medical Schemes Act 121 of 1998
- Medicines and Related Substances Act 101 of 1965
- Mental Healthcare Act 17 of 2002
- National Credit Act 34 of 2005
- National Health Act 61 of 2003
- Occupational Health and Safety Act 85 of 1993



- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Telecommunications Act 103 of 1996
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

8. CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION¹ RELATING THERETO

PLEASE NOTE: Subject to paragraph 6 above, all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

Category of Record	Category of Data Subject	Personal Information Processed
Records relating to the administration of the University	<p>Juristic Persons: UFH- affiliated entities</p> <p>Natural Persons: Board members, directors, committee members, consultants, partners, service providers</p>	Personal information of office-bearers; founding documents; conflict of interest declarations; commercial and other interests declarations; minutes of meetings; financial records; contracts; partnerships; scholarships, bursaries, grants and donations; tenders and service providers; employment equity data; BBBEE status; PAIA and POPIA compliance data; statutory and other licenses; marketing records; litigation records; correspondence; historical records
Financial and assets records	Juristic and natural persons	Data relating to: UFH finances; staff finances; student finances; UFH assets; UFH insurance
Records relating to academic and research activities of staff and students:	<p>Juristic persons: Other academic entities, collaborating entities, funders, qualifications verification companies, service providers</p> <p>Natural persons: Staff, students, external examiners, visiting professors, guest lecturers, exchange students</p>	Personal information of staff, students, external examiners visiting professors, guest lecturers and exchange students; academic progress data; research data and results; ethics applications and decisions; contracts relating to research funding, exchange programs, research collaborations and contract research; academic

¹ As defined in PAIA and POPIA



		committees meeting minutes; qualification verification reports; historical records
Records relating to students	Natural persons: Students, exchange students	Student personal information; academic records; academia related submissions; disciplinary records; certificates of conduct; merit records; funding records; community service records; social, political, cultural and religious affiliation records (clubs and societies); governance structures meeting minutes; elections-related data
Records relating to staff	Natural persons: Part-time and full-time staff	Staff personal information, including, but not limited to CVs, service history, performance reviews, merit awards and mentions; disciplinary records; remuneration and salary grades; union affiliations; social, political, cultural and religious affiliation records (clubs and societies); governance structures meeting minutes; elections-related data; staff external work
Records relating to the University commercial activities	Juristic persons: UFH-affiliated entities Natural persons: Board members, trustees, directors, staff and students creating UFH intellectual property	Personal information of UFH-affiliated commercial entities; UFH shareholding; intellectual property commercialization information and information protected from disclosure in terms of the IPR Act ² ; service provider personal information; board and trustee membership; personal information of board members, trustees and directors; minutes of meetings
Records relating to the University's intellectual property	Juristic and Natural persons: Creators of intellectual property	Registered intellectual property
Records relating to the University's public benefit programs	Juristic and natural persons	Data relating to: talent detection initiatives; community service clinics (legal, health, general advisory); rural development; government collaboration;

² Intellectual Property from Publicly Funded Research and Development Act 51 of 2008



		international collaboration; meeting minutes and resolutions
Technical records	Juristic and natural persons: Developers, licensors, licensees, service providers	Data relating to: ICT infrastructure and security; physical infrastructure; construction blueprints; spatial plans; software; know-how and methodologies; licenses; strategies
Records relating to real property used, leased or owned by the University wholly or partly	Juristic and natural persons: Property owners, lessors, lessees, donors, funders, beneficiaries, rights holders	Data relating to: property deeds; leases; uses; third party rights; donations
Environment and market information		Information bought, publicly available information and commissioned information which pertains to the University
Third party information other than the above	Juristic and natural persons	Any of the above

9. PURPOSES FOR WHICH PERSONAL INFORMATION IS PROCESSED

The University collects personal information and processes in the course and scope of its business which is teaching and learning, research and community engagement. The purposes for which this information is processed include, but are not limited to:

- managing applications, admission, registration and graduation of students
- managing students' academic participation and student life
- managing residence applications, allocations and students' stay at residences
- administration of student funding
- managing staff recruitment and employment
- managing relationships with service providers and clients
- administration of University initiatives, projects, partnerships, collaborations
- managing graduations and alumni relations
- verification of registration and of qualifications

10. RECIPIENTS OF PERSONAL INFORMATION

- Statutory authorities
- Higher education institutions
- Employers
- Financial institutions
- Tax authorities
- Medical aid schemes and retirement fund schemes
- Industry professional bodies



11. PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

The University may transfer personal information trans-border to

- higher education institutions and academic
- entities hosting conferences, seminars, symposia
- funders, research collaborators, laboratories
- suppliers, business associates, contractual partners

Trans-border flows may also happen through social media and other internet-based communications.

12. SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

The University employs up-to-date technology to ensure confidentiality, integrity and availability of personal information collected:

- firewalls
- access control measures
- cyber security measures
- physical security measures
- policies on information security

13. SERVICES AVAILABLE TO THE PUBLIC

The university provides, amongst others the following services to member of the public:

- formal education opportunities and services
- research for public benefit
- venue hire

14. HOW TO GAIN ACCESS TO THESE SERVICES

To gain access to these services at the University, a request must be forwarded to the relevant unit at the following address:

Address: 50 Church Street
Private Bag X9083
East London
5200

Website: www.ufh.ac.za



15. PARTICIPATION OF THE PUBLIC IN THE FORMULATION OF POLICY OR THE EXECISE OF POWER³

The Institutional Statute and Institutional Rules make no provision for participation by general public in formulation of University policies or exercise of power.

16. AVAILABILTY OF MANUAL

This manual is available in English and is available at the University (Deputy Information Officers Office) and on the University website (<http://www.ufh.ac.za>)

The manual will be published in English in the Government Gazette and will be made available in IsiXhosa and Afrikaans.

17. DECISION ON REQUEST AND NOTICE THEREOF

Requests for information that have complied with the requirements of the PAIA Act and the requirements sent out in this manual shall be considered and processed accordingly. The information officer will notify the Requestor in writing of the outcomes of the request as soon as reasonable possible within 30 days after the decision has been made.

If the request for information has been granted, then the information officer will advise the Requestor on the following:

- The prescribed fee for access of the information or the documentation
- Payable deposit fee and balance outstanding
- The form in which access will be given.

If the request for access is refused then, the information officer will advise the Requestor about reasons for refusal of access and may provide the Requestor with advice to access the courts, after the Requestor has exhausted all internal appeal processes.

According to the PAIA and POPI Act, the request for information can be refused on one or more of the following grounds:

- For the protection of the privacy of a third party who is a natural person
- Protection of commercial information of a third party
- Protection of certain confidential information of a third party
- Protection of safety of individuals and protection of property
- Protection of records privileged from production in legal proceedings
- Commercial information of the Public Body
- Protection of research information of a third party and of the Public Body.

The outcomes of the request must be communicated in writing to the Requestor within 30 days after the decision has been made. The information officer will include the reasons of the refusal in the written notification. The information officer may extend the 30 days period for a further period not exceeding 30 days due to the nature, complexity of the request and the amount of

³ Section 14(1)(g) of the PAIA



time required to gather the requested information. The Requestor will be notified if there has been an extension on gathering the information or documentation requested.

18. DEEMED REFUSAL OF REQUEST

The failure of the information officer to give a decision on request for access to the request to, within 30 days period, shall be regarded as refusal of request.

19. REMEDY AVAILABLE IN THE EVENT THERE IS A FAILURE TO ACT BY THE UNIVERSITY⁴

The requestor can utilise the remedies set out in section 74 to 82 of the Act, should the complaint be in respect of an omission or an act in terms of PAIA Act.

A requestor can make application for approval to court in terms of section 82 of PAIA, within 30 days of the decision for the following grievances.

- Refusal of a request for access
- A decision relating to payment of requested fees for access
- A decision relating to the extension of a period to deal with a request for access'
- A decision relating to the form of access

20. UPDATING THE MANUAL

This manual will be updated as required.

⁴ Section 14(1)(h) of the PAIA

