

PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

KARYN CASEY

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person or entity, whether such information is required by someone to protect his/her rights.

OVERVIEW

Karyn Casey is a practice in the field of Speech-Language Therapy and Audiology. We have a special interest in neurological rehabilitation voice and swallowing disorders. We work in the health sector and are healthcare professionals registered under the Health Professions Act of 1974, and are subject to the rules and regulations of the Health Professions Council of SA (HPCSA).

This manual serves to inform members of the public of the categories of information we hold, and which may, subject to the grounds of refusal listed in the Act, be disclosure after evaluation of an access application being made in terms of the Act.

AVAILABILITY OF THIS MANUAL

A copy of this Manual is available -

- At our reception desk at our office at 18 Eton Road Parktown Johannesburg
- On request from our Information Officer
- On our website: www.brainworx.info
- From the South African Human Rights Commission (“SAHRC”) at the addresses and/or telephone numbers as published by the Commission

This Manual will be updated from time to time, as and when required.

OUR INFORMATION OFFICER

Our Information Officer is: **KARYN CASEY** Tel nr: **0836568979**

HOW TO REQUEST ACCESS TO RECORDS HELD BY KARYN CASEY: Requests for access to records held by Karyn Casey must be made on the request forms that are available from rooms, or from the SAHRC website (www.sahrc.org.za).

When a record is requested, the following will apply:

- Fees may be payable. These fees are prescribed by law, and can change from time to time. The fee list is attached to this document.
- The Request Form must be completed. It can be obtained from the Information Officer, on the SAHRC website (www.sahrc.org.za) or on the website of the Department of Justice (www.justice.gov.za) under “PAIA” and “forms”. On the Request Form all details must be completed, including the right the requester wants to protect by requesting the information.
- If the requester is acting on behalf of someone else, the signature of the other person as the one who is authorised the request to be made.
- 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 access the part(s) that pertains to the information s/he wants or is entitled to, and not the rest of the record.

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. One can, for example, not access another person’s confidential information, or trade- or commercial secrets of a business.

An answer on a request for information must be made within 30 days of the request, and if not granted and the requester is not satisfied s/he can approach the courts within 30 days.

HOW THE ACT WORKS AND INFORMATION PUBLISHED BY THE SAHRC

More information on how the Act works and all other information can be obtained from the SAHRC – SA Human Rights Commission, at:

PRIVATE BAG X2700

Houghton

2041

Tel: 011 877 3600

OR

Braampark Forum 3

33 Hoofd Street

Braamfontein

There are also provincial SAHRC offices in all nine provinces.

VOLUNTARY DISCLOSURE

The following information is made known automatically and persons do not have to request such information:

- Terms and conditions
- Services offered

This information is available directly from the practice or on our website.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws. As legislation changes from time to time, and new laws may stipulate new manners and extend the scope of access by persons specified in such entities, this list should be read as not being a final and complete list.

Business legislation (including all regulations issued in terms of such legislation):

Income Tax Act 58 of 1962;

Value Added Tax Act 89 of 1991;

Labour Relations Act 66 of 1995;

Basic Conditions of Employment Act 75 of 1997;

Unemployment Insurance Act 63 of 2001;

Electronic Communications and Transactions Act 25 of 2002;

Telecommunications Act 103 of 1996;

Electronic Communications Act 36 of 2005;

Consumer Protection Act 68 of 2008;

National Credit Act 34 of 2005.

Health legislation (including all regulations issued in terms of such legislation):

The National Health Act 61 of 2003;

Medical Schemes Act 121 of 1998;

Medicines and Related Substances Act 101 of 1965;

Children's Act 38 of 2005;

Mental Healthcare Act 17 of 2002;

Health Professions Act 56 of 1974; etc.

RECORDS HELD BY KARYN CASEY

We hold records in the categories listed below. **The fact that we list a record type here does not necessarily mean that we will disclose such records**, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

Internal records relating to our business, which includes our business's founding and other documents, minutes and policies; annual and other reports; financial records; operational records, policies and procedures; contracts; licences, trademarks and other intellectual property; production, marketing records; other internal policies and procedures; internal correspondence; statutory records; insurance policies and records; etc.

Personnel records, which includes records relating to temporary employees, fixed term employees, part-time employees, permanent employees, locums, associates, contractors, partners, directors, executive directors, non-executive directors. It includes personal files and similar records, records a third parties have provided to us about their personnel; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related records and correspondence.

Client/patient records, which includes client/patient lists; health records; medical reports; funding records; agreements; consents; needs assessments; financial and accounts information; research information; evaluation records; profiling; and similar information. *It must be noted that, in the health sector, personal and patient information are protected by legislation and ethical rules, and disclosure can only take place, if at all, within those frameworks.*

Supplier and service provider records, which includes supplier registrations; contracts; confidentiality agreements and non-disclosure agreements, communications; logs; delivery records; commissioned work; and similar information, some of which might be provided to us by such suppliers and providers under service- and other contacts. **Technical records**, which includes manuals, logs, electronic and cached information, product registrations, product dossiers, health professionals council / statutory body records, approvals, conditions and requirements, trade association information and similar product information.

Third party information, which may be in our possession but which would be subject to the conditions set in relation to such possession and use or purpose limitations.

Environment and market information, which include information bought, publicly available information and commissioned information which pertains to the specific sector and market of our business and factors that affect the business, professional and healthcare environment.

ANNEXURE:

FEES IN RESPECT OF RECORDS REQUESTED FROM PRIVATE BODIES

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 page or part thereof.

2. The fees for reproduction referred to in regulation 11 (1) are as follows:

(a) For every photocopy of an A4-size page or part thereof	R1.10
(b) For every printed copy of an A4-size 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) USB memory stick	R180.00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	R40.00
(ii) For a copy of visual images	R60.00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	R90.00
(ii) For a copy of an audio record	R50.00

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