

SECTION A: INTRODUCTION, INFORMATION AND GUIDES

PURPOSE OF THE MANUAL IN TERMS OF PAIA

The Promotion of Access to Information Act of 2000 (Act No. 2 of 2000) (PAIA) gives effect to the right of access to information as provided for in section 32 of the Constitution, subject to justifiable limitations, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient and good governance.

The purpose of the PAIA is to foster a culture of transparency and accountability in both the public and private sectors and to enable citizens to exercise and protect all of their rights to the full extent required.

ACCESS TO INFORMATION MANUAL

This Manual has been compiled in accordance with the PAIA which prescribes that a private body must provide details of the records held by such a private body so that requests for information may be accommodated. This Manual contains a guide to how a requester of information may request information.

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

INTRODUCTION AND BACKGROUND OF CHANTAL DA CRUZ CLINICAL PSYCHOLOGIST

This private practice is the practice of Chantal da Cruz Clinical Psychologist.

My practice is run in accordance with the requirements set by the Health Professions Act of 1974 and is a private practice as defined from time to time.

CHANTAL DA CRUZ CLINICAL PSYCHOLOGIST

Registration Number: N/A

Practice Number: 0361259

All medical practitioners are bound by the code of ethics of the HPCSA, most notably the duty to preserve patient confidentiality, unless legislation or a court order compels us to breach this duty. Requesters should note that commercial information and financial information may be withheld on the grounds of sections 63-70.

CONTACT INFORMATION OF THE HEAD OF CHANTAL DA CRUZ CLINICAL PSYCHOLOGIST

Postal Address: PO Box 7261, Wetweeden Park, 1715, 18 Taries Road, Sandton, 2161

Physical Address: Ridge Wellness Centre, 1 Atejee Street (corner Vaie Lane), Randpark Ridge, 9161

Telephone Number: 082 564 2258

Fax Number: N/A

E-mail Address: chantaldacruz@gmail.com

Website Address: www.chantaldacruz.com



Compiled: 29 June 2021

SECTION A: INTRODUCTION, INFORMATION AND GUIDES

PURPOSE OF THE MANUAL IN TERMS OF PAIA

The Promotion of Access to Information Act of 2000 (Act No.2 of 2000) (PAIA) gives effect to the right of access to information as provided for in section 32 of the Constitution, subject to justifiable limitations, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient and good governance.

The purpose of the PAIA is to foster a culture of transparency and accountability in both the public and private sectors by affording any person the right of access to information to enable them to exercise and protect all of their rights to the full extent required.

This Manual has been compiled in accordance with the PAIA which prescribes that a private body must provide details of the records held by such a private body so that requests for information may be accommodated. This Manual serves as a guide on how a requester of information may request access to such information and/or records held by Chantal da Cruz Clinical Psychologist.

INTRODUCTION AND BACKGROUND OF CHANTAL DA CRUZ CLINICAL PSYCHOLOGIST

This private practice is the practice of Chantal da Cruz Clinical Psychologist.

My practice is run in accordance with the requirements set by the Health Professionals Act of 1974 and is subject to the authority of the Health Professionals Council of South Africa (HPCSA). I practice as a Clinical Psychologist within the scope and ambit of my competence and training, as defined from time to time.

All medical practitioners are bound by a number of ethical rules issued by the HPCSA, most notably the duty to preserve patient confidentiality, unless legislation or a court order compels us to breach this duty. Requesters should note that commercial information and financial information may be withheld on the grounds of sections 63-70.

CONTACT INFORMATION OF THE HEAD OF CHANTAL DA CRUZ CLINICAL PSYCHOLOGIST

Postal Address: PO Box 7261, Weltevreden Park, 1715 ; 18 Taurus Road, Sundaev, 2161

Physical Address: Ridge Wellness Centre, 1 Ateljee Streer (corner Dale Lace), Randpark Ridge, 9161

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Fax Number: N/a

E-mail Address: chantaldacruz@gmail.com

Website Address: www.chantaldacruz.com

THE HEAD OF PRIVATE BODY

The head of the entity is Chantal da Cruz.

THE ACT AND SECTION 10 GUIDE

The Promotion of Access to Information Act of 2000 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.

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.

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 for inspection in all official languages, *inter alia*, from the Human Rights Commission, contact details as follows:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone: (011) 877-3600

Fax: (011) 403-0625

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

THE LATEST NOTICE INTERMS OF SECTION 52(2)

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

SECTION B: INFORMATION AND RECORDS HELD

SUBJECTS AND CATEGORIES OF RECORDS HELD BY CHANTAL DA CRUZ CLINICAL PSYCHOLOGIST

1. REGISTRATION INFORMATION ON FORM OF PRACTICE

I am practicing as a sole proprietor practice and no official constituting documentation are held.

2. INFORMATION RELATING TO PROFESSIONAL STATUS OF PERSONS WORKING IN THE PRACTICE

- * Certificates and cards proving professional registration at the HPCSA and other relevant Boards and Councils
- * Proof of payment of annual and registration fees
- * Certificate of good standing

3. FINANCIAL RECORDS

- * Annual Financial Statements
- * Tax Returns
- * Accounting Records
- * Bank Records: Bank statements, Cheques, Electronic Banking records.
- * Asset Register
- * Register of Mortgages and Debentures
- * Rental Agreements
- * Invoices, statements
- * Claims to medical schemes

4. PATIENT RECORDS

- * Records are held on all patients.
- * Records are kept between 6 and 9 years, or as legislation from time to time determines
- * Children's records are kept until the age of 21.

These records constitute personal confidential information that is protected from unauthorised third party access.

5. 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

SUBJECTS AND CATEGORIES OF RECORDS HELD BY CHANTAL DA CRUZ CLINICAL PSYCHOLOGIST: (cont)

6. PERSONNEL RECORDS

- * Employee information
- * Employment contracts
- * Attendance registers
- * Salary registers and records
- * Disciplinary code
- * Disciplinary records
- * Leave records
- * Training records
- * IRP5's and Tax information pertaining to the employment of employees
- * Locum agreements and locum records

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation are as follows:

- * Health Professionals Act 56 of 1974
- * Basic conditions of Employment Act 75 of 1997
- * Employment Equity Act 55 of 1998
- * Labour Relations Act 66 of 1995
- * Income Tax Act 58 of 1962
- * Compensation for Occupational Injuries and Disease Act 130 of 1993
- * Unemployment Insurance Act 63 of 2001
- * Skills Development Act 9 of 1999
- * National Health Act
- * Promotion of Access of Information Act 2 of 2000

REQUEST PROCEDURE IN TERMS OF PAIA

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

- * The requester must complete Form C and submit this form together with a request fee to the head of the private body. This form is available from our information officer, the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za).
- * The form must be submitted to the head of the private body at his / her address, fax number or electronic mail address.
- * The form must:
 - provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester
 - indicate which form of access is required
 - specify a postal address or fax number of the requester in the Republic of South Africa

SECTION C: REQUEST PROCEDURE AND RELATED INFORMATION

Access to information is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for this right. You will be notified whether your request has been approved. The fact that information is held by us and being listed in this manual should not be construed as conferring upon any requester a right to that information.

GROUNDINGS FOR REFUSAL OF ACCESS TO INFORMATION AND/OR RECORDS

- (a) Any refusal in terms of the Act.
- (b) The protection of third party's right to privacy when such release of information would amount to the unreasonable and/or unlawful disclosure of personal information of that person.
- (c) Mandatory protection of any commercial information of a third party, including but not limited to any trade secrets, commercial and/or intellectual property.
- (d) Any confidential information which is protected by an agreement between the parties.
- (e) Mandatory protection and information that would be considered privileged in terms of any legal and/or medical proceeding.
- (f) Any intellectual, commercial and/or related documentation relating to the business activities of the Practice.
- (g) Any other reason that is allowed in any applicable law.

GROUNDINGS FOR DISCRETIONARY REFUSAL

- (a) Where the disclosure of such information relating to a third party would prejudice the supply of similar information in the future;
- (b) Where the record contains information around crime prevention, detection and prosecution of alleged offenders;
- (c) Where the disclosure would unreasonably reveal consultative material obtained on account of deliberations over formulation of policy, exercise of power or performance of a duty;
- (d) Where the request is frivolous or vexatious.

REQUEST PROCEDURE IN TERMS OF PAIA

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

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- * The form must:
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 - indicate which form of access is required
 - specify a postal address or fax number of the requester in the Republic of South Africa

REQUEST PROCEDURE IN TERMS OF PAIA (continued)

* The form must: (continued)

- identify the right which the requester is seeking to exercise or protect and provide an explanation of why the requested records is required for the exercise or protection of that right
- if, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be so informed
- 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 the private body

AVAILABILITY OF THE MANUAL

This manual is available for inspection by the general public upon request during office hours and there is no charge for viewing the manual at our offices (where is it available).

Hard copies of the manual may be made available subject to the prescribed fees.

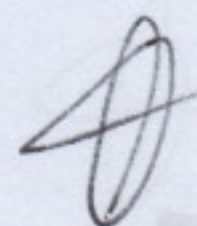
Copies may also be requested from the South African Human Rights Commission at the address indicated below.

FEES FOR RECORDS OF PRIVATE BODY

The fees for reproduction or access to records are payable in advance as follows for each request respectively:

Description of reproduction or access	ZAR
a) Photocopy of A4-size page or part thereof	1.10
b) Printed copy of A4-size page or part thereof held on a computer or in electronic or machine-readable format	0.75
c) Copy of record in computer-readable format on CD	70.00
d) Transcription of visual images	
i) A4-size page or part thereof	40.00
ii) copy of visual images	60.00
e) Transcription of audio record	
i) A4-size page of part thereof	20.00
ii) copy of audio record	30.00
f) Request fee if not a personal requester (section 54(1))	50.00
g) Search for record for disclosure, per hour or part thereof	30.00

Chantal da Cruz



FEES FOR RECORDS OF PRIVATE BODY (continued)

- h) Actual postage fee will be payable in advance when a copy of a records must be posted to a requester.

- i) If the search for a record in respect of which a request for access by a requester, other than a personal requester, has been made and the preparation of the record for disclosure (including any arrangements contemplated in section 29(2)(a) and (b)(i) and (ii)(aa)), would, in the opinion of the head of the private body, require more than the six hours prescribed for this purpose for requesters, the head will by notice require the requester, other than a personal requester, to pay as a deposit of one third of the access fee.

The fees stipulated above are exclusive of value added tax and the private body is a registered value added tax vendor.

REMEDIES AVAILABLE IF REQUEST HAS BEEN DENIED

The requester will be notified in writing if his / her request has been refused as well as the reason for therefore.

The requester can lodge an application with a court or submit a complaint to the South African Human Rights Commission.

DETAILS OF THE SOUTH AFRICAN 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

Telephone: (011) 877-3600

Fax: (011) 403-0625

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

SIGNATURE BY THE HEAD OF PRIVATE BODY

Chantal da Cruz

Compiled: 29/11/11
