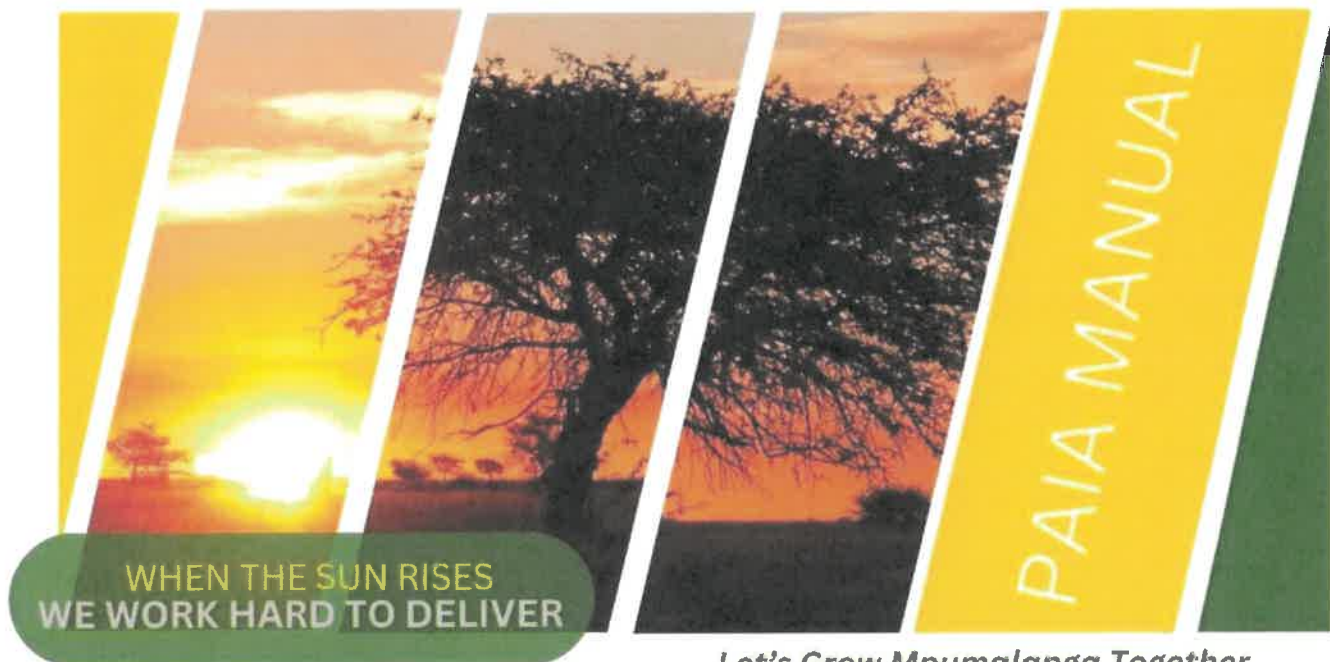




social development
MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

MANUAL

OF THE
**DEPARTMENT OF SOCIAL
DEVELOPMENT**
IN ACCORDANCE WITH
SECTION 14
OF THE
**PROMOTION OF ACCESS TO
INFORMATION ACT,**
(ACT NO 2 OF 2000)



Let's Grow Mpumalanga Together



SECTION 14 MANUAL FOR THE MPUMALANGA DEPARTMENT OF SOCIAL DEVELOPMENT, IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)



Foreword by the Head of Department

Section 32 of the Constitution guarantees to everyone the right of access to information held by the state and other persons or institutions. The Promotion of Access to Information Act 2 of 2000 (PAIA) provides the framework and procedures for citizens to exercise their constitutional right to information. As one of government's institutions in addressing imbalances of the past, Mpumalanga Department of Social Development is committed to the implementation of PAIA, not merely as a formality to comply with legislation, but to give effect to our mission of building **a caring, humane and developed society**. I hope that this Manual will broaden the public interest and participation in the processes of enhancing services that affect their lives.

MS S.M MTSWENI
HEAD OF DEPARTMENT

11.10.2023

**SECTION 14 MANUAL FOR THE MPUMALANGA DEPARTMENT OF SOCIAL
DEVELOPMENT, IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS
TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)**

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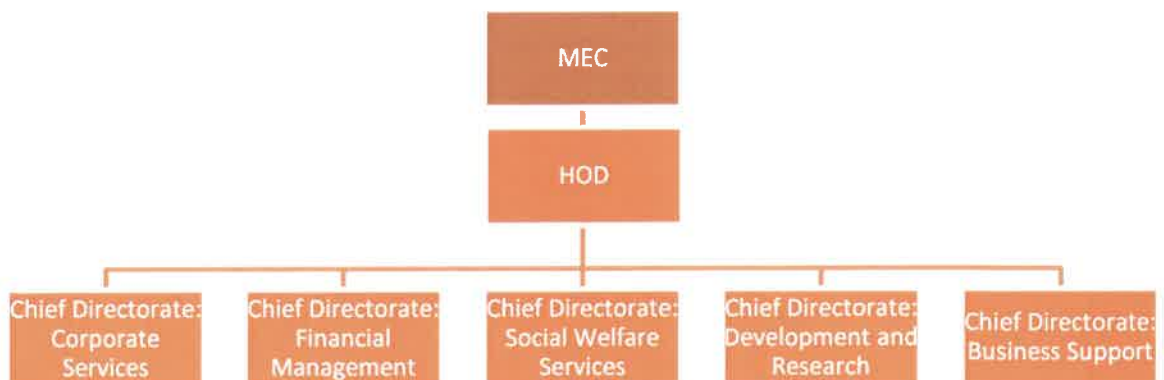
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**MANUAL FOR THE MPUMALANGA DEPARTMENT OF SOCIAL DEVELOPMENT
IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT, 2000 (ACT NO. 2 OF 2000)**

1. The structure and functions of the Department – Sec 14 (1) (a)

- 1.1 The services rendered by the Department are structured into five programmes, i.e. Programme 1 (Administration), Programme 2 (Social Welfare Services), Programme 3 (Children and Families), Programme 4 (Restorative Services) and Programme 5 (Development and Research).
- 1.2 Administratively, the Department consists of the Provincial Head Office situated in Nelspruit and three district offices situated in Ermelo, Nelspruit and Witbank.
- 1.3 A schematic diagram of the Departmental top structure is as follows:



2. Contact details of Information Officer – Sec 14 (1) (b)

- 2.1 In order to deal with the provision of information in terms of the Act, the Department has established the following structure:
- 2.1.1 Information Officer, Mr. S.M Mtsweni, in his capacity as the Head of Department;
- 2.1.2 Deputy-Information Officer, Mr. S.G. Ntuli, in his capacity as Chief Director: Corporate Services;
- 2.1.3 PAIA functionary, Mr T. Hlophe, who will, on behalf of the Information Officer and Deputy Information Officer, co-ordinate all PAIA related activities for access to information, and who can be contacted on the following particulars:

| | |
|------------------|----------------------------------------------------------------------------------------------------|
| Physical Address | 4 Samora Machel Drive, Mbombela Square, Building 3 5 th Floor, West Acres, Nelspruit |
| Postal address | Private Bag X11213, Nelspruit, 1200 |
| Phone | 013 766 3618 |
| E-mail | thulanih@dsmmpu.gov.za |
| Website | www.dsmmpu.gov.za |
| | |

3. Section 10 guide on how to use the Act – Sec 14 (1) (c)

The guide contemplated in Section 10 of the Act, on how to utilise the Promotion of Access to Information Act (2000), is available from the South African Human Rights Commission.

| | |
|------------------|----------------------------------------------------------|
| Physical Address | 27 Stiemens Street, Braamfontein |
| Phone | 011 877 3600 |
| E-mail | info@sahrc.org.za |
| Website | www.sahrc.org.za |

4. Access to records held by the Mpumalanga Department of Social Development – Sec 15 (1) (e) and Sec 14 (1) (d)

4.1 Automatic Disclosure – Sec 15 (1) (e)

All categories of records that fall within automatic voluntary disclosure in terms of section 15 (1) (e) of the Act are available without a person having to request access in terms of the Act:

| Subject | Sub-Category |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------|
| Strategic Planning, Monitoring and Evaluation | <ul style="list-style-type: none"> • Strategic Plans • Annual Reports |

4.2 Records that may be requested – Sec 14 (1) (d)

The following subjects and categories of records may be requested in terms of the procedure contemplated in the Act and this Manual:

| Subject | Sub-Category |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Social Welfare Services | <ul style="list-style-type: none"> • NGO Funding management services • Child and Family Care services • Victim Empowerment services • Substance abuse services • Social Crime Prevention services • Older Persons services • Persons with disabilities' services • Non institutional HIV / AIDS and Social Relief • Transversal social work services |

| Subject | Sub-Category |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community Development Services | <ul style="list-style-type: none"> • Sustainable livelihood services • NPO Institutional capacity building and support services • Youth Development services • Community Outreach and support services |
| Financial management services | <ul style="list-style-type: none"> • Finance and tender policies, documents and reports • Supply Chain management and procurement policies • Physical facilities management plans and reports • Building plans • Asset and commitment registers • Transport and maintenance reports |
| Communication | <ul style="list-style-type: none"> • Newsletters • Brochures / Posters / Pamphlets • Speeches |
| Human Resource Development and Training | <ul style="list-style-type: none"> • Human Resource Development and Training • Human Resources Plan |
| Human Resource Management | <ul style="list-style-type: none"> • Organisational Structure • Recruitment reports |
| Information Management Systems and Technology | <ul style="list-style-type: none"> • IT Governance • Information Technology Operations • Information management • Information Systems • Knowledge Management • Records management services |
| Labour Relations | <ul style="list-style-type: none"> • Disciplinary Code and Procedure Manual |
| Community Development | <ul style="list-style-type: none"> • Research and Demographic reports |
| Business Support Unit | <ul style="list-style-type: none"> • Rights of Child and People with Disabilities Framework |

4.3 The Request Procedure – Sec 14 (1) (d)

To gain access to the records held by the Mpumalanga Department of Social Development, a request should be made to the Information Officer or Deputy Information Officer listed in Section 2 of this manual.

- Any requester must utilise Form A as printed in Government Gazette Notice R187 of 15 February 2002, a copy of which is annexed hereto as Annexure “B”, to obtain access to a record.
- Copies of the above request form are available upon request from all Departmental offices and the departmental website www.dsdmpu.gov.za

- The requester should provide sufficient particulars on the request form to enable the Information Officer to identify the requester and records requested.
- The requester must also indicate if the request is for a copy of the record or if the requester wants to come in and look at the record at the Offices of the Department. Alternatively, if the record is not a document it can be viewed in the requested form, where possible (Sec 29 (2)).
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any way, e.g. telephone, this must be indicated (Sec 18 (2) (e)).
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated (Sec 18 (2) (f)).
- If a requester is unable to read or write, or has a disability, then they can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give him/her a copy (Sec 13).
- The requester can submit the request either by means of post, fax, e-mail (see 1.2 above) or submit it at a departmental district office (see list of Departmental Districts Offices Annexure "C").
- If the record requested is not held within the Mpumalanga Department of Social Development, the request will be forwarded to the relevant institution and the requester will be notified accordingly.

A requester may be given access to a record held by the Department of Social Development if he/she complies with the following:

- the requester complies with all the procedural requirements in the Act relating to the request for access to that record;
- Access to that record is in terms of the requirements of the Promotion of Access to Information Act 2 of 2000

There are two types of fees required to be paid in terms of the Act, being the request fee and the access / search fee (Sec 22)

- A request for access to a record, other than a record containing personal information about requestor, will be processed only after a **request fee** has been paid.
 - The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
 - The request payable to public bodies is prescribed here in as fees in respect of public bodies. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.

- After the information officer has made a decision on the request the requester must be notified of such a decision in the way in which the requester wanted to be notified in.
- If the requester is granted then a further access fee must be paid for the search, preparation, and reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- The following persons are exempt from paying the access fee contemplated in section 22(6) of the Act:
 - (i) A single person whose annual income, after permissible deductions, does not exceed R 14 712, 00 per annum; and
 - (ii) married persons or a person and his or her life partner whose annual income, after permissible deductions, does not exceed R27 192,00 per annum.

5. Services available to members of the public - Sec 14 (1) (f)

5.1 Nature of services

The services rendered by the Department can be unpacked as follows:

- 5.1.1 **Programme 1 – Administration** by its nature provides institutional leadership and management as well as a variety of transversal support services. These include the areas of the Executing Authority (MEC), Corporate Management which includes office of Head of Department, Human Resource Management, Financial Management (which includes Supply Chain Management), Legal Services, Anti-Fraud and Risk Management, Internal Audit, Strategic Planning, Monitoring & Evaluation and Communication.
- 5.1.2 **Programme 2 – Social Welfare Services** purpose is to provide integrated developmental Social Welfare Services to the poor and vulnerable in partnership with stakeholders and civil society organizations. This approach incorporates raising community awareness of social concerns and introducing strategies to reduce and prevent those social ills. The programme is further sub-divided into the following main focus areas, i.e.
 - Care and services to older persons
 - Services to persons with disabilities
 - HIV and AIDS
 - Social relief
- 5.1.3 **Programme 3 – Child and Family Care Support Services** aims to provide comprehensive child and family care and support services to communities in partnership with stakeholders and civil society organisations. The programme is further sub-divided into the following main focus areas, i.e.
 - Child care and protection services
 - Care and support services to families

- ECD and Partial Care
 - Child and Youth Care Centres
 - Community Based Care Services for Children
- 5.1.4 **Programme 4 – Restorative Services** is aimed at the Provision of integrated developmental social crime prevention and anti-substance abuse services to the most vulnerable in partnership with stakeholders and civil society. The programme is further sub-divided into the following main focus areas, i.e.
- Crime prevention and support
 - Victim empowerment
 - Substance Abuse, Prevention and Rehabilitation
- 5.1.5 **Programme 5 - Development and Research** is provision of sustainable development which facilitates empowerment of households and communities, based on empirical research and demographic information focussed on enabling the most vulnerable citizens access opportunities for sustainable livelihoods. The programme is constituted of the following sub programmes, i.e.
- Youth development
 - Sustainable Livelihood
 - Institutional Capacity Building
 - Research and Demography
 - Population Capacity Development and Advocacy
 - Women Development

5.2 Gaining access to the services rendered by the Mpumalanga Department of Social Development

5.2.1 The services referred to under 5.1 above, are rendered at various service points throughout the Province.

5.2.2 Find attached as Annexure “C” a list of districts offices.

6. Arrangements allowing for public involvement – Sec 14 (1) (g)

The Department utilises existing structures such as Community Dialogues, Forums, Outreaches etc. to –

6.1 Facilitate public involvement; and

6.2 Grant members of the public the opportunity to –

6.2.1 Consult and make representations; and

6.2.2 Participate in the formulation of policy, the exercise of powers and the performance of duties by Departmental officials.

7. Available remedies - Sec 14 (1) (g)

- 7.1 The Mpumalanga Department of Social Development has an internal appeal procedure as stipulated in Sections 74 and 75 of the Act. This would apply to any situation in which the requester / third party wishes to appeal a decision made by the Information Officer with respect to, viz. fees payable; the extension of a period; the form of access; and the refusal of a request to access of a record.
- 7.2 When the requester / third party lodges an internal appeal, the prescribed appeal form (Govt. Notice R187 - 15 February 2002 Form B - Annexure "B") has to be completed and lodged with the Mpumalanga Department of Social Development's Information Officer, who in turn will forward it to the relevant Section for a decision.
- 7.3 The Mpumalanga Department of Social Development will inform the requester / third party of the outcome of the internal appeal. A requester / third party who is dissatisfied with the outcome of the internal appeal may, within 60 days, submit an application to court for final decision. If no such application is filed within that period, the MEC's decision will be adhered to. If an application is filed at a court, the outcome of the court case will have to be awaited.

8. Other information as prescribed in terms of the Act 14

There is currently no other information available as contemplated in section 14(1)(l) of the Act.

9. Updating, publishing and availability of Section 14 manual

- 9.1 The manual may be obtained from District offices and the Provincial office (see section 1.2 above for contact details); alternatively, the manual is available on the departmental website at www.dsdmpu.gov.za
- 9.2 The manual will be made available in the following languages, i.e.
- 9.2.1 English
 - 9.2.2 IsiSwati
 - 9.2.3 IsiNdebele
 - 9.2.4 Afrikaans
- 9.3 The Department may, if necessary, update and publish its manual referred to in Sec 14 (2), at intervals of not more than three years.

List of Districts Offices

1. GERT SIBANDE DISTRICT

| Name of Office | Physical Address | Postal Address | Telephone Numbers | Fax Number |
|-------------------------------------|---------------------------------------------|---------------------|-------------------|--------------|
| Gert Sibande District Office | 102 Wedgewood and Industrial street, Ermelo | P/Bag X9074, Ermelo | 017 819 7672 | 071 819 7198 |

2. EHLANZENI DISTRICT

| Name of Office | Physical Address | Postal Address | Telephone Numbers | Fax Number |
|----------------------------------|--------------------------------------------------|----------------------------------|-------------------|---------------|
| Ehlanzeni District Office | 4 Cascades Close, Riverside Park, Mbombela, 1201 | Private Bag X 11241 Mbomela 1200 | 013 - 755 4036 | 013- 753 3795 |

2. NKANGALA DISTRICT

| Name of Office | Physical Address | Postal Address | Telephone Numbers | Fax Number |
|---------------------------------|-------------------------------------------------|-----------------------------------|----------------------------------|----------------|
| Nkangala District Office | Piet Koornhof Building Justice Street Emalaheni | Private Bag X 7213 Emalaheni 1035 | 013 – 653 5022 013 – 656 6262 | 013 – 656 0671 |