

THE FOUNDATION FOR PROFESSIONAL DEVELOPMENT (PTY) LTD

(Reg. No. 2000/002641/07)

DG van der Walt (Chairperson), MR Abbas (Director), I Asia (Director), MY Dombo (Director),
VD Pillay (Director), GG Wolvaardt (Director)

Manual in terms of Section 51 of the Promotion of Access to Information Act No 20 of 2000

Introduction to the Foundation for Professional Development (Pty) Ltd

The FPD is an independent subsidiary of the South African Medical Association established at the end of 1997. The FPD provides a comprehensive range of education and community engagement products to the South African healthcare sector.

We have compiled this manual to comply with the provisions of the Act, to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

A copy of this manual is also available from our offices at the registered address indicated below.

Section A – Our details

Full Name	: Foundation for Professional Development (Pty) Ltd ("FPD")
Registration Number	: 2000/002641/07
Registered Address	: Struland Office Park, Mary Street 173, The Willows, 0184
Postal Address	: P.O. Box 753249, Lynnwood Ridge 0040
Telephone Number	: +27 861 98 88 98
Fax Number	: +27 861 19 99 19
Head/Managing Director	: Dr George Gustaaf Wolvaardt
Designated Information Officer	: Ms Alet Bosman
Email Address of Information Officer	: aletb@foundtion.co.za
Website	: http://www.foundation.co.za

Section B – The official SA Human Rights Commission Guide

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

Copies of this Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Office: 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown

Post: South African Human Rights Commission
Promotion of Access to Information Act Unit (Research and Documentation Department)
Private Bag 2700, Houghton 2041

Telephone: (011) 484-8300 **Fax:** (011) 484-0582

Website: www.sahrc.org.za **E-mail:** PAIA@sahrc.org.za

Section C – Information available in terms of the Act
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1. Categories of information

We hold the following categories of information:

(a) COMPANY INFORMATION

Certificate of Incorporation; Memorandum and Articles of Association; Share register and other statutory registers; Minute Book, CM26 and Resolutions passed at general meetings (*Minutes will be made available to shareholders of the FPD only, for inspection at the premises*); Proxy Forms; Minutes of various committees of the FPD (*Minutes of committees will remain confidential as internal documents and will be available to shareholders for inspection at the premises*); Register of Alumni (*Details pertaining to individual Alumni will only be made available if an Alumni has consented to such disclosure. Names, contact details and other personal information will only be made available for direct mailings, etc. And will only be undertaken as per FPD, if such Alumni have consented to the disclosure and upon payment of the amounts stipulated in an agreement between the buyer of this information and the FPD*); Index of Members; Register of Mortgages and Debentures and Fixed Assets; Register of Directors and Certain Officers; Directors' Attendance Register; Records relating to the appointment of directors, auditors, company secretaries, public officer and other officers

(b) FINANCIAL RECORDS

Annual Financial Statements including: (a) Annual accounts; (b) Directors' reports; (c) Auditor's report; Books of Account regarding information required by the Companies Act, 2008; Supporting schedules to books of account and ancillary books of account; Accounting records; Books of Account including journals and ledgers; Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange; Banking records, bank statements, paid cheques, electronic banking records; Rental agreements.

(c) INCOME TAX RECORDS

PAYE records; Documents issued to employees for income tax purposes; Records of payments to SARS on behalf of employees; IRP's; All other statutory compliances: VAT, Regional Services Levies, Skills Development Levies, UIF, Workmen's Compensation; Copies of Income Tax returns and other tax returns and documents.

(d) STATUTORY EMPLOYEE RECORDS

Although the employer is required to keep the following records, personal information (as defined in the Act) will not be made available to third parties unless the employee has consented or by court order as, and to the extent provided for in the Act.

Employees' names and occupations; Time worked by each employee; Remuneration paid to each employee; Employment equity plan and -reports; Salary and wages register; Collective agreements (if any); Disciplinary proceedings, Arbitration awards and CCMA cases; Skills Development Plan; SETA records and training records; Staff records (after date of employment ceases); Expense accounts.

(e) OTHER EMPLOYEE RECORDS

Employee contracts; Performance management records; Incentive schemes; Study assistance schemes; Conditions of Employment and Policies (including but not limited to leave policies, telephone policy, etc.); Group personal accident; Medical Aids records; Pension Fund records; Confidentiality agreements; Leave records.

(f) PENSION AND RETIREMENT FUNDING RECORDS

All pension fund information, including Pension Fund Rules; account records; Minutes of Meetings of trustees; attendance registers of meeting with members; etc. are held by ABSA Consulting and Actuaries. *Requests have to be made to the FPD and will be directed to ABSA Consulting and Actuaries.*

(g) HEALTH AND SAFETY

Evacuation plan; Annual Occupational Health and Safety inspection certificate; HIV/AIDS policy.

(h) FIXED PROPERTY

N/A

(i) MOVABLE PROPERTY

Asset register; Asset numbers and location of assets; Finance and Lease Agreements; Deeds of Pledge.

(j) INTELLECTUAL PROPERTY

Copyrights and sub-licensed copyright agreements; Agreements relating to intellectual property such as licence agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements; Litigation and other disputes involving intellectual property. *It should be noted that all FPD course publications are copyrighted and prohibited from unlicensed use, sale, distribution, amendments, etc.*

(k) AGREEMENTS AND CONTRACTS

Material agreements concerning provision of services or materials; Joint venture agreements, subsidiary agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements; Acquisition or disposal documentation; Agreements with contractors and suppliers; Agreements with customers; Warranty agreements; Sale agreements; Distributor and agency agreements; Purchase or lease agreements.

(l) LEGAL

Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation; Settlement agreements; Material licences and authorisations.

(m) INSURANCE

Insurance policies; Claim records; Details of insurance coverages, limits and insurers. *Information relating to the FPD's insurance is held by its broker. Access is, however, to be obtained via the FPD.*

(n) INFORMATION TECHNOLOGY

All information technology and information systems are held in terms of valid sales-, user-, rental-, maintenance- or similar agreements, which agreements may prohibit information- and/or the system from being accessed by third parties in any manner whatsoever. Information is made available on the website of the FPD, and certain sections may be closed off for Alumni of the FPD. Categories of IT information held include:

Hardware; Operating Systems; Telephone Exchange Equipment; Telephone Lines, Leased Lines and Data Lines; LAN Installations; Software Packages; Disaster Recovery; Internal Systems Support and Programming / Development; Capacity and Utilization of Current Systems; Agreements; Licenses; Audits.

(o) SALES, SERVICES AND MARKETING

(i) Products, including but not limited to- publications, study guides; information leaflets; pro forma contracts and agreements; etc. *Certain products and services are available only to registered learners with the FPD;*

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(iii) Brochures, Newsletters, Course registration Form;

(iv) Foundation for Professional Development (Pty) Ltd Policy Statements;

(v) Press statements

2. Procedure for requesting access to the above information

If you wish to request access to any of the above categories of information, you are required to complete a request form. These forms are available from:

- attached in Annexure A: Requester Form (Form C of the PAIA).
- our information officer, Ms Alet Bosman, whose contact details are in section A of this manual;
- the SAHRC website (www.sahrc.org.za)
- the Department of Justice and Constitutional Development website (www.doj.gov.za).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form. You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information, which you have requested, including copying charges.

It is important to note that 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 the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved. Therefore the fact that information "is available" by being listed in this manual should not be misconstrued as conferring upon any requester a right to that information.

Section D – Information available in terms of other legislation

Where applicable to our operations, information is also available, and we retain records, in terms of certain provisions of the following statutes:

Basic Conditions of Employment Act No. 75 of 1997; Companies Act No. 71 of 2008; Compensation for Occupational Injuries and Diseases Act No. 130 of 1993; Employment Equity Act No. 55 of 1998; Income Tax Act No. 58 of 1962; Labour Relations Act No. 66 of 1995; Legal Deposit Act No. 54 of 1997; Occupational Health and Safety Act No. 85 of 1993; Unemployment Insurance Act No. 63 of 2001; Value-added Tax Act No. 89 of 1991; Skills Development Act 9 of 1999; National Health Act No 61 of 2003.

Section E – Information automatically available

The following categories of records are automatically available for inspection, purchase or photocopying. Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual:

Registration forms; Pamphlets and brochures, as produced from time to time; attendance registers; abstracts; annual report; certificate of registration as higher education institution.

Section F – General

Foundation for Professional Development's mission is to ensure the availability of skilled professionals, allied workers and managers who will be able to deliver a service to the public that is affordable, evidence based and congruent with international best practice.

FPD prides itself on being one of the few private higher educational institutions that fully engages in all three areas of higher educational scholarship namely: teaching and learning, community engagement and research. It runs its operations funded through sponsorship and solon registration fees and to the benefit of its enrolled learners, delegates and communities it serve.

- *Teaching and Learning* – FPD provides a comprehensive curriculum of development courses in management and professional skills that are customised to the needs of managers and health care professionals. Educational products are presented through formal postgraduate qualifications, short courses, distance courses, in-house courses and conferences.
 - *Community Engagement* – This is a critical component of our work and targets areas such as: the development of grassroots NGOs; AIDS and TB treatment and care; and developing institutional capacity within the public sector utilising a public-private-initiative model. FPD conducts community engagement projects as a core function. These projects can be viewed on page 4.
 - *Research* – FPD's research priorities focus on promoting action research, clinical research and research on educational practice.
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