



civilian secretariat for police service

Department:
Civilian Secretariat for Police Service
REPUBLIC OF SOUTH AFRICA

PAIA MANUAL

**Prepared in terms of section 14 of the Promotion of Access to
Information Act 2 of 2000 (as amended)**

July 2023

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- 1.1 "Minister": Minister of Police.
- 1.2 "PAIA": Promotion of Access to Information Act 2 of 2000, as amended.
- 1.3 "POPIA": Protection of Personal Information Act 2 of 2013.

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public in order to –

- 2.1 check the nature of the records which may already be available at the Civilian Secretariat for Police Service, without the need for submitting a formal PAIA request;
- 2.2 have an understanding of how to make a request for access to a record of the Civilian Secretariat for Police Service;
- 2.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 2.4 know all the remedies available from the Civilian Secretariat for Police Service regarding a request for access to the records, before approaching the Civilian Secretariat for Police Service or the Courts;
- 2.5 provide the description of the services available to members of the public from the Civilian Secretariat for Police Service, and how to gain access to those services;
- 2.6 provide a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.7 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know if the Civilian Secretariat for Police Service has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.9 know whether the Civilian Secretariat for Police Service has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE CIVILIAN SECRETARIAT FOR POLICE SERVICE

The Civilian Secretariat for Police Service is established in terms of section 4 of the Civilian Secretariat for Police Service Act, 2011 (Act No. 2 of 2011), as a designated department at national level that must exercise its powers and perform its functions without fear, favour or prejudice, in the interest of maintaining effective and efficient policing and a high standard of professional ethics in the police service.

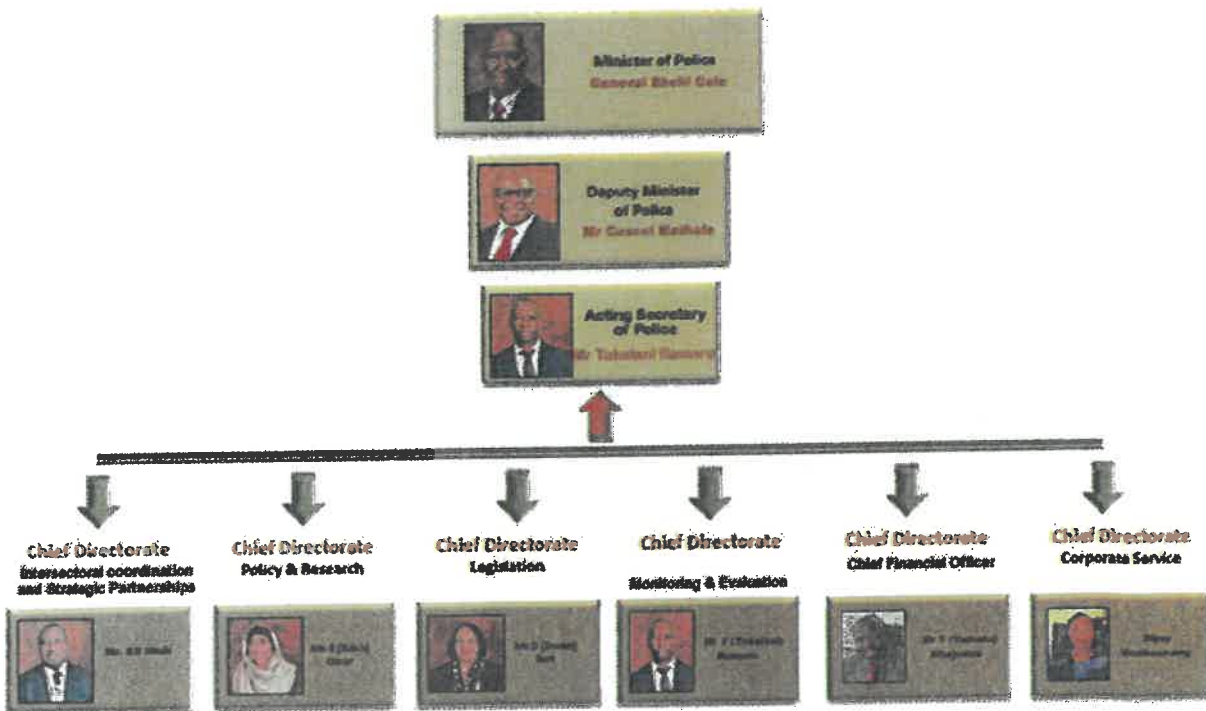
3.1 Objectives / Mandate

The Civilian Secretariat for Police Service is mandated in terms of section 5 of the Civilian Secretariat for Police Service Act to exercise civilian oversight over the police service and to give strategic advice to the Minister in respect of development and implementation of policies and legislation. The Civilian Secretariat for Police Service is also responsible for provision of guidance to community police fora and associated structures and to facilitate their proper functioning, as well as to mobilise role-players, stakeholders and partners outside the department through engagements on crime prevention and other policing matters.

4. STRUCTURE OF THE CIVILIAN SECRETARIAT FOR POLICE SERVICE

4.1 Structure

High Level Organisational Structure Civilian Secretariat for Police



The following Committees have been established by the Civilian Secretariat for Police Service:

- Audit and Risk Committee (ARC)
- Audit Committee (Internal)
- Management Steering Committee

- Executive Committee
- Executive Risk Management and Ethics Committee
- Occupational Health and Safety Committee
- Management Committee (MANCO)
- ICT Steering Committee
- Human Resource Committee
- Budget Committee
- Business Process Mapping Committee
- National Oversight Forum
- Learning Committee
- Knowledge Management Committee
- Employment Equity Committee

4.2 Functions

The Civilian Secretariat for Police Service derives its mandate from section 208 of the Constitution which provides that a Civilian Secretariat for the Police Service must be established by national legislation to function under the direction of the Cabinet member responsible for policing.

The functions of the Civilian Secretariat for Police Service are set out in section 6 of the Civilian Secretariat for Police Service Act, and they are as follows -

- (a) monitoring the performance of the police service and regularly assess the extent to which the police service has adequate policies and effective systems and to recommend corrective measures;
- (b) monitoring the utilisation of the budget of the police service to ensure compliance with any policy directives or instructions of the Minister;
- (c) monitoring and evaluation of compliance with the Domestic Violence Act, 1998 (Act 116 of 1998);
- (d) making of recommendations to the police service on disciplinary procedures and measures with regard to non - compliance with the Domestic Violence Act, 1998;
- (e) considering of such recommendations, suggestions and requests concerning police and policing matters as it may receive from any source;
- (f) conducting or causing to be conducted any research as it may deem necessary;
- (g) entering into either memoranda of understanding or agreements or both, in consultation with the Minister, with civilian oversight groups and other parties and engage such groups and parties to strengthen cooperation between the various role players;
- (h) advising and supporting the Minister in the exercise of his or her powers and the performance of his or her functions;
- (i) providing the Minister with regular reports with regard to –
 - (i) the performance of the police service; and
 - (ii) implementation of and compliance by the police service with policy directives

issued or instructions made by the Minister; and
(j) assessing and monitoring the police service's ability to receive and deal with complaints against its members.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE CIVILIAN SECRETARIAT FOR POLICE SERVICE

5.1 Chief Information Officer

Name: Mr T.L. Ramaru

Telephone number: 012 493 6812

E-mail Address: takalani.ramaru@csp.gov.za

5.2 Deputy Information Officer

Name: Advocate D.A. Bell

Telephone number: 012 493 1327

Email Address: Dawn.Bell@csp.gov.za

5.3 Access to Information general contacts

PAIA@csp.gov.za

5.4 National / Head Office

Postal Address: Private Bag x 922
Pretoria
0001

Physical Address: Fedsure Forum Building
Corner Pretorius and Lilian Ngoyi Street
Pretoria
0002

Telephone number: 012 493 1400

Email: PAIA@csp.gov.za

Website: www.policeseCRETariat.gov.za

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR FAILURE TO ACT BY THE CIVILIAN SECRETARIAT FOR POLICE SERVICE

Internal Appeal

If a requester is not satisfied with the outcome of his or her request for access to information, he or she may lodge an appeal with the Minister of Police.

Process for Complaining to the Civilian Secretariat for Police Service

Any failure to act should be brought to the attention of the Chief Information Officer, failing resolution, it may be reported to any of the institutions listed in Chapter 9 of the Constitution of South Africa or to the Public Service Commission. See also the Guide on how to Use PAIA.

Process for Approaching the Court with Jurisdiction for Appropriate Relief

A requester may only approach a court of law for appropriate relief in terms of section 82, within 180 days, after the requester or a third party has exhausted the internal appeal procedures against the decision of the Information Officer.

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

7.1 The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

7.2. The Guide is available in each of the official languages.

7.3. The aforesaid Guide contains the description of -

7.3.1 the objects of PAIA and POPIA;

7.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of -

7.3.2.1 the Information Officer of every public body, and

7.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;

7.3.3. the manner and form of a request for -

7.3.3.1 access to a record of a public body contemplated in section 11; and

7.3.3.2 access to a record of a private body contemplated in section 50;

7.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

7.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;

7.3.6 all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

7.3.6.1 an internal appeal;

7.3.6.2 a complaint to the Regulator; and

7.3.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

7.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

7.3.8 the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

7.3.9 the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and

7.3.10 the regulations made in terms of section 92.

7.4. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained-

7.4.1. upon request to the Information Officer;

7.4.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE CIVILIAN SECRETARIAT FOR POLICE SERVICE HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE CIVILIAN SECRETARIAT FOR POLICE SERVICE

Subjects on which the body holds records	Categories of records held on each subjects	REQUEST FOR ACCESS	DOWNLOAD FROM WEBSITE
Strategic Documents	Annual Reports; Strategic Plans; and Annual Performance Plans.	X	X

Subjects on which the body holds records	Categories of records held on each subjects	REQUEST FOR ACCESS	DOWNLOAD FROM WEBSITE
Human Resources	Human Resource Policies and procedures; Advertised Posts; Employment Equity Plans and Statistics; Employee records; Learning and Development e.g Skills Development and Training Plans.	X	
Operational Policies or Plans or Procedures or Frameworks	Supply Chain Management; Procurement Plans; Tenders & Contracts; Funds, Suppliers; Risk Management; Audit; IT; Finance Management; Human Resources Management.	X	
Legal, Policy and Research	Research Papers; Approved Legislations and Policies; Court decisions; Arbitration Awards; Bargaining Council Resolutions.	X	
Corporate Governance	Organisational and Business Process Plans; Memorandum of Understandings; Applicable Policies and Procedure.	X X	X X
PAIA Manual and Guide	Manual and Guide on how to use PAIA	X	
Publicity and Marketing Material	Publications	X	

Subjects on which the body holds records	Categories of records held on each subjects	REQUEST FOR ACCESS	DOWNLOAD FROM WEBSITE
Information Technology	ICT Policies and Procedures;	X	
Publications	Booklets; Reports; Newsletters; Bulletins; Magazines; Pamphlets; E- Publications.	X	
Media	Press releases; Radio and TV Interviews; Statements; Participation details; Official Speeches and Messages; Website content; Newsletters; Posters; Publications; Media enquiry or responses.	X	X
Events, Functions, Seminars and Conferences	Presentations; Discussions; Documents.	X	
Registers	Information Officers	X	
Reports / Minutes / Decisions	Conferences, Research and Findings, Monitoring and Evaluation; Statistics; Surveys; Submissions on Legislation.	X	
Supply Chain Matters	BID Documents; Contracts; Purchase Orders; Quotations; Tenders;	X	

Subjects on which the body holds records	Categories of records held on each subjects	REQUEST FOR ACCESS	DOWNLOAD FROM WEBSITE
	Terms of Reference and Leases; List of applicants for Tenders; List of Tenders Awarded.		
Finance	Financial Accounting; Financial Reporting; Asset Management register; Statements; Budgets; Reports, Audit Records.	X	

9. CATEGORIES OF RECORDS OF THE CIVILIAN SECRETARIAT FOR POLICE SERVICE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

CATEGORY	DOCUMENT TYPE	WEBSITE
Legislation and Policies	Approved Legislations and Policies	X
Regulations	Approved Regulations	X
Strategic documents	Annual Reports; Strategic Plans; Annual Performance Plans.	X

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE CIVILIAN SECRETARIAT FOR POLICE SERVICE AND HOW TO GAIN ACCESS TO THOSE SERVICES

Powers, duties and Functions

The Civilian Secretariat for Police Service provides a platform for members of the public to lodge service delivery complaints against the South African Police Service (SAPS).

The Civilian Secretariat for Police Service receives service delivery complaints lodged by any member of the public or a group or organisation, to ensure that all complaints received are resolved transparently and fairly. In addition to the general service delivery complaints, the Civilian Secretariat for Police Service also receives complaints on non-compliance with the Domestic

Violence Act, 1998 (Act No. 116 of 1998) herein referred to as DVA, complaints. In terms of section 18 (a) (b) of the principal Act failure by a member to comply with an obligation imposed in terms of the Act or the DVA National Instruction 7 of 1999 amended by consolidation Notice of 2020 constitutes misconduct as contemplated in the South African Police Service Act, 1995. According to this section, all the DVA related cases identified as non-compliance by SAPS members should be reported to the Civilian Secretariat for Police Service.

In line with the DVA, the Civilian Secretariat for Police Service is mandated by the Civilian Secretariat for Police Service Act, 2011 to monitor and evaluate the SAPS' compliance with the DVA, and make recommendations to the police service on disciplinary procedures and measures with regard to non-compliance with the DVA.

What is DVA non-compliance

- When a complaint from the public is received due to failure by a member to provide the required service as prescribed by both the DVA and the National Instructions (operational non-compliance), that information should also be captured in the consolidated return and be forwarded to the Civilian Secretariat for Police Service in order to make recommendation on instituting disciplinary actions.

What is a Service Delivery Complaint?

A Service Delivery Complaint means a dissatisfaction or disappointment experienced by any person or an organisation, locally, regionally, continentally, or internationally, which resulted from an action or omission regarding the service that was rendered or supposed to be rendered by the SAPS.

Who can lodge a Service Delivery and DVA non-compliance Complaint?

- Any citizen who was denied a proper service or was not happy with the service rendered by SAPS.
- A member of the public or a member of the police may lodge a complaint on behalf of another person, provided that the person on whose behalf a complaint is lodged consents thereto in writing.
- Any member of police service who was denied a proper service or was not happy with the service rendered by SAPS.

How and where Service Delivery and Non-Compliance Complaints can be lodged?

- The Service Delivery Complaint can be lodged through email, fax, telephone or cell phone, walk-in, letter etc.
- The Service Delivery Complaint can be lodged at the Civilian Secretariat for Police Service Head Office and Provincial Secretariat in all the nine provinces.

What happens after one has lodged a Service Delivery Complaint?

- The Civilian Secretariat for Police Service will register a complaint in the computer-based register.
- The Civilian Secretariat for Police Service will acknowledge receipt of your complaint within seven working days.
- The Civilian Secretariat for Police Service will evaluate a complaint to determine if it falls within its mandate.
- The Civilian Secretariat for Police Service will pursue a complaint and provide regular feedback.
- If it falls outside the mandate of the Civilian Secretariat for Police Service, a complaint will be referred to the appropriate authority or institution that is competent to deal with such complaint.

What happens after one has lodged a non-compliance Complaint?

- The Civilian Secretariat for Police Service will register a complaint in the computer-based register.
- The Civilian Secretariat for Police Service will acknowledge receipt of your complaint within seven working days.
- The Civilian Secretariat for Police Service conduct preliminary assessment to ascertain the validity of the complaint
- The Civilian Secretariat for Police Service will forward it to the relevant police station with recommendations to conduct further investigations and institute disciplinary actions.
- The Civilian Secretariat for Police Service will provide the complainant with regular feedback.

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY THE CIVILIAN SECRETARIAT FOR POLICE SERVICE

The Civilian Secretariat for Police Service is responsible for the development of Policies and Legislation. During the process of development of such, members of the public are from time to time invited to submit their written comments on Policies and Legislation that have been published in the *Gazette* or in the website of the Civilian Secretariat for Police for public comments.

The submissions received from members of the public are then considered thoroughly, and where necessary the proposals made in their written submissions are incorporated in the draft Policy or Legislation.

12. PROCESSING OF PERSONAL INFORMATION

12.1 Purpose of processing of personal information of data subject by the Civilian Secretariat for Police.

12.1.1 The Civilian Secretariat for Police Service processes personal information of data subjects under its care in the following ways –

12.1.1.1 Fulfilling or executing its statutory obligations under PAIA and POPIA, through –

- 12.1.1.1.1 Receiving of complaints;
- 12.1.1.1.2 Monitoring and evaluation;
- 12.1.1.1.3 Conducting compliance assessment;

12.1.1.2 Staff administration and Job applicants;

12.1.1.3 Keeping of relevant records;

12.1.1.4 Procurement process;

12.1.1.5 Visitors to the premises of the Civilian Secretariat for Police Service;

12.1.1.6 Complying with other relevant legislation, such as the Public Finance Management Act, 1999, Regulations under it and National Treasury Instruction Notes.

12.2 Description of Categories of Data Subjects and of the Information or Categories of Information Relating thereto

Categories of Data Subjects	Personal information that may be Processed
Complainants: Natural Persons	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address.
Complainants: Responsible parties, Juristic Persons / Public Entities	Names of contact persons; Name of Legal Entity; Physical and Postal address; contact details (contact number(s), fax number, email address) and Registration Number.
Foreign Persons / Entities	Name; contact details (contact number(s), fax number, email address); physical and postal addresses.
Intermediary / Advisor/ Consultants	Names of contact persons; Name of Entity; Physical and Postal address and contact details (contact number(s), fax number, email address); Registration Number.

Categories of Data Subjects	Personal Information that may be Processed
Contracted Service Providers	Names of contact persons; name of entity; name of directors and shareholders, physical and postal address and contact details (contact number(s), fax number, email address); financial information; registration number; founding documents; tax related information; authorised signatories, broad-based black economic empowerment (B-BBEE) status, affiliated entities, business strategies.
Employees / Members / Committee	Gender, pregnancy; marital status; race, age, language, education information (qualifications); financial information; employment history; ID numbers; physical and postal address; contact details (contact number(s), fax number, email address); criminal record; nationality, ethnic origin, disability, biometric information of the person, employment history, professional affiliation and references.

12.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of Personal Information	Recipients or Categories of Recipients
Criminal checks; Qualification verification; Citizenship verification; Financial status checks.	Service Providers who render these services.
Information required in respect of compliance or non-compliance with relevant laws.	Regulatory authorities and relevant Government Entities.
Information relating to Criminal Investigation.	Law Enforcement Agencies, such as the National Prosecuting Authority or South African Police Service.

Information relating to a person whom a complaint or a charge has been made or laid.	Courts of law or Tribunals.
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12.4 Planned transborder flows of personal information

The Civilian Secretariat for Police Service has not envisaged Transborder flows of personal information. However, should it become necessary to transfer personal information to another country for any lawful purposes, it will ensure that anyone to whom it disseminate personal information to, is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection, and the third party agrees to treat that personal information with the same level of protection as the Civilian Secretariat for Police Service is obliged under POPIA. Any transfer of personal information cross border shall be with data subject's consent, however should it not be reasonably practicable to obtain data subject's consent, the Civilian Secretariat for Police Service shall transfer the personal information if it will be for the data subject's benefit and the data subject would have given consent should it have been reasonably practicable to obtain such consent.

12.5 General Description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

12.5.1 The Civilian Secretariat for Police Service continuously establishes and maintains appropriate, reasonable technical and organisational measures by taking appropriate, reasonable technical and organisational measures to prevent –

12.5.1.1 loss of, damage to or unauthorised destruction of personal information, and unlawful access to or processing of personal information.

12.5.1.2 unlawful access to or processing of personal information.

12.5.2 The Civilian Secretariat for Police Service has taken reasonable measures to –

12.5.2.1 identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control;

12.5.2.2 establish and maintain appropriate safeguards against the risks identified;

12.5.2.3 regularly verify that the safeguards are effectively implemented; and

12.5.2.4 ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

12.5.3 Measures taken by the Civilian Secretariat for Police Service includes, amongst others –

Access Control;
Encryption;
Monitoring,
Anti-virus and Anti-malware Solutions;
Awareness and Vigilance.

13. AVAILABILITY OF THE MANUAL

13.1 This Manual is made available in the following three official languages -

- 13.1.1 English;
- 13.1.2 Xitsonga
- 13.1.3 IsiZulu

13.2 A copy of this Manual or the updated version thereof, is also available as follows-

13.2.1 on the website of the Civilian Secretariat for Police Service;

13.2.2 at the offices of the Civilian Secretariat for Police Service for public inspection during normal business hours;

13.2.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

13.2.4 to the Information Regulator upon request.

13.3 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

14. UPDATING OF THE MANUAL

The Civilian Secretariat for Police Service will, if necessary, update and publish this Manual annually.

Issued by

Mr T.L. Ramaru



(Acting Secretary for Police Service)