

**MPUMALANGA
DEPARTMENT OF
COMMUNITY SAFETY, SECURITY
AND LIAISON**



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

A. VISION

A safe, secure and crime free Province.

B. MISSION

To improve the safety of communities through mass participation, oversee the performance of the police and the coordination of security services.

C. VALUES

The Department strives to pursue excellence and professionalism through the following values:

- Diligent, Efficiency and effectiveness;
- Caring, Responsive and Approachable;
- Integrity and honesty;
- Fair and Reasonable; and
- Inclusiveness, Accountability and Transparency.

D. DEPARTMENT'S STRUCTURE AND ITS RELATED FUNCTIONS.

The Department (Public Body) is structured to fulfil its mandate as outlined above. The main Divisions or Branches in the Department consist of the following divisions:-

Programme 1: Administration

- **Office of the Member of the Executive (MEC)**
- **Office of the Deputy Director General (Accounting Officer)**
- **Corporate and Regional Services (Sub-Branch)**
 - ❖ Division : Office of the Chief Financial Officer
 - ❖ Division : Human Resource Management
 - ❖ Division : Communication
 - ❖ Division : Legal Service
 - ❖ Division : Planning and Programme Management

- ❖ Division : Nkangala Regional Office
- ❖ Division : Gert Sibande Regional Office
- ❖ Division : Ehlanzeni Regional Office
 - Subdivision : Special Programmes
 - Subdivision : Security Management

Programme 2: Crime Prevention and Community Police Relations (Sub-Branch)

- ❖ Division : Social Crime Prevention
- ❖ Division : Community Policing

Programme 3: Civilian Oversight (Sub-Branch)

- ❖ Division : Monitoring
- ❖ Division : Evaluation Research

E. ADDRESSES AND CONTACT DETAILS OF INFORMATION AND DEPUTY INFORMATION OFFICER

POSTAL ADDRESS

Private Bag x 11269
NELSPRUIT
1200

PHYSICAL ADDRESS

Building No. 4 Ext 2
Government Boulevard
Riverside Park
NELSPRUIT

ELECTRONIC ADDRESS OF INFORMATION OFFICER

lnkhoza@mpg.gov.za

TELEPHONE AND FACSIMILE NUMBERS OF INFORMATION OFFICER

Tel: (013) 766-4471
Fax: (013) 766-4600

NAME AND SURNAME OF DEPUTY INFORMATION OFFICERS

Ms. L.L. Nkosi and Mr. E.J. Mabuza

POSTAL ADDRESS AND PHYSICAL ADDRESS OF DEPUTY INFORMATION OFFICERS

POSTAL ADDRESS

Private Bag x 11269
NELSPRUIT

PHYSICAL ADDRESS

Building No.4, Ext 2
Government Boulevard
Riverside Park
NELSPRUIT

ELECTRONIC ADDRESS OF DEPUTY INFORMATION OFFICERS

lmogiba@mpg.gov.za
elvism@mpg.gov.za

TELEPHONE AND FACSIMILE NUMBERS OF DEPUTY INFORMATION OFFICERS

Tel: (013) 766-4074
(013) 766-4055
Fax: (013) 766-4600/4628

F. DESCRIPTION OF THE GUIDE ON HOW TO USE THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)

The Guide on how to use the Promotion of Access to Information Act is obtainable from the Human Rights Commission, at the following address;-

The South African Human Rights Commission
Entrance 1
Wilds View
Isle of Houghton
Boundry Road
Parktown, Johannesburg

OR

Private Bag X 2700
Houghton
2041
Tel : (011) 484-8300
Fax : (011) 484-7149/1360
Website : www.sahrc.org.za
E-mail : PAIA@sahrc.org.za

G. FACILITATION OF A REQUEST FOR ACCESS TO A RECORD OF A DEPARTMENT

Any person who wishes to obtain access to information held by the public body (Department) may access them by filing in the application form as prescribed in Government Notice No. R 187 of 15 February 2000.

H. RECORDS HELD BY THE DEPARTMENT

The Public body (Mpumalanga Department of Safety, Security and Liaison holds the following records which could be requested in terms of the Act -

FINANCE

- Financial reports and statements; and
- Departmental budget.

CORPORATE SERVICES

- Records related to Departmental Human Resource Personnel and the public body's organisational structures;
- Employment practices;
- Skills development or capacity building;
- Records related to contractual documents signed with various service providers, as well as records to or emanating from any legislative requirements e.g. policy framework, etc;
- Records related to service providers contracted by the Department;
- Departmental communication strategy and plans; and
- Departmental Strategic Plans, Implementation Plan and Performance

CIVILIAN OVERSIGHT

- Records and reports related to monitoring and evaluation of police service;
- Policy documents and legislation on the South African Police Service;
- Police station in the province; and
- Reports on investigations carried out at police stations.

CRIME PREVENTION AND COMMUNITY POLICE RELATIONS

- Records related to the Provincial Strategy in combating or reducing crime in the Province;
- Concept documents on contact crime prevention and mass mobilisation; and
- Summit reports.

I. DESCRIPTION OF RECORDS AUTOMATICALLY AVAILABLE TO MEMBERS OF THE PUBLIC AND HOW TO GAIN ACCESS TO SUCH SERVICES

Take note that no notice has yet been published by the Department regarding the categories of records of the Department, which are available without a person having to request access in terms of the procedures in the Promotion of Access to Information Act. However, the records on the website of the Department,

www.mpumalanga.gov.za/safetysecurity, are available for viewing or downloading without a person having to make such a request in terms of the said Act.

J. REQUEST PROCEDURE

Granting or refusal of request

A requester must be given access to a record of a public body if the requester complies with the following:

- The requester complies with the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal mentioned in the Act.

How do I request access to a record?

- A requester must use the form (Form A) that was printed in the Government Gazette (Government Notice R187 of 15 February 2002).
- The requester must also indicate if he or she wants a copy of the record or if he or she to come in and look at the record at the offices of the Department. Alternatively, if the record is not a paper document it can then be viewed in the requested form, where possible.
- If a requester asks for access in particular form (e.g. paper copy, electronic copy, etc) then the requester should get access in that form. This is unless doing so will interfere unreasonably with the running of the Department or damage the record, or infringe a copyright not owned by the Department. If for practical reason access cannot be given in the required form but in another form, then the fee must be calculated according to the way the requester first asked for it.
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated.
- If the requester is asking for the information on behalf of somebody else, the capacity in which the request is being made must be indicated.
- If the requester is unable to read or write, or has a disability, then the request can be made orally. The information officer must then fill in the form on behalf of such a requester and give them a copy of the completed form.

Fees payable for a request and notification of decision of access

- A requester who seeks access to a record containing personal information about the requester is not required to pay the request fee. Every other requester must pay the request fee of R35.00 (thirty five rand).
- The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed request fee (if any) and deposit before further processing of the request.
- The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of a 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 request is granted then a further access fee must be paid for the reproduction and for search and preparation for any time required in excess of stipulated hours to search and prepare the record for disclosure.
- Access to a record will be withheld until the applicable fees have been paid.

Any member of the public may gain access to the services and records of the Department by contacting any of the Department's regional offices or the main office for the necessary application forms and any related assistants. The addresses, Telephone numbers and contact personnel of these offices are as follows:-

Head office

Private Bag x 11269	Bldg.No, 4, 2 nd floor	Tel :(013) 766 4062
NELSPRUIT	Riverside Govt.Complex	Fax: (013) 766 4600
1200		

Nkangala Regional Office

Private Bag x 11269	KwaMhlanga	Tel: (013) 947 3049/3504
KwaMhlanga	Government Complex	Fax (013) 947 3591

Ehlanzeni Regional Office

Private Bag x 11269
NELSPRUIT
1200

No: 25 Roodt Street
NELSPRUIT

Tel: (013) 755 3692
Fax: (013) 752 3198

Gert Sibande Regional Office

Private Bag x 11269
NELSPRUIT
1200

No: 1 Steenkamp Street
Secunda
2302

Tel: (013) 624 2204
Fax: (013) 624 2249

L. ARRANGEMENTS ALLOWING INVOLVEMENT IN THE FORMULATION OF POLICY AND PERFORMANCE OF FUNCTIONS

- When proposing new policy or legislation, the Department undertakes to consult with all its stakeholders through inviting comments on published papers and/or workshop/ conferences. The processes of participation will differ according to the kind of project and will usually be made known before the start of the project or thereafter.
- In case where an administrative action materially and adversely affects-
 - The rights or legitimate expectations of any person; or
 - The rights of the public time,

The prescripts of a procedurally fair administrative action set out in the provisions of the Promotion of Administrative Justice Act, 2000 (Act No.3 of 2000), will be adhered to (sections 4 and 5 in particular).

K. DESCRIPTION OF REMEDIES AVAILABLE TO PERSONS IN RESPECT OF ACTS OR FAILURES TO ACT

The following procedures exist for persons to report or remedy alleged irregular, improper or unlawful official acts or omissions by the Department or any of its employees.

- Remedies in respect of acts or failures to act in terms of the Promotion of Access to Information Act: The internal Appeal Authority for purposes of this Act is the MEC for the Department. After exhausting the internal appeal remedy an application may be lodged with a court;
- A public service employee may lodge a grievance or complaint for investigation by the Public Service Commission concerning an official act or omission;
- A person may use labour remedies regarding official acts or omissions of a labour nature, namely dispute of rights;
- A person may lodge a complaint with labour inspector concerning any alleged contravention of the Basic Conditions of Employment Act or the Employment Equity Act;
- A person may lodge a complaint with the Public Protector concerning a suspected or improper official act or omission in terms of the Constitution and the Public Protector Act;
- A person may lodge a complaint with the South African Human Rights Commission concerning an official act or omission that is suspected to constitute a violation of or threat to any fundamental right in terms of the Human Rights Commission Act;
- In order to be protected from reprisals because of the disclosure regarding unlawful or irregular conduct by an employer or a fellow employee, the person in question may follow disclosure procedures in the Protected Disclosures Act; and
- The use of other legal remedies such as the institution of proceedings for the judicial review of an administrative action in terms of the Promotion of Administrative Justice Act.

Other supportive remedies:

- A person may request reasons for an administrative action in terms of the Promotion of Administrative Justice Act;
- A person may request access to records of government Department or other public body in terms of Promotion of Access to Information Act.

Duty to report:

- A public service employee, in the course of his or her official duties, is obliged in terms of the Code of Conduct for public service employees to report to the appropriate authorities, fraud, corruption, nepotism, mal-administration and any other acts which constitutes an offences or which is prejudicial to the public interest. An employee, who fails to comply with this, is guilty of misconduct.
- The responsibility of every employer and employee to disclose criminal and any other irregular conduct in the workplace also underpins the Protected Disclosures Act, 2000.