



The Golden Key Awards

Openness and
Responsiveness Awards
2007/08

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ODAC/SAHRC Openness and Responsiveness Awards 2007

“Golden Key Awards”

Introduction and Acknowledgement



Commissioner Leon Wessels (SAHRC)
delivering the opening address

The year 2007 saw a continuation of the successful partnership between the South African Human Rights Commission (SAHRC) and the Open Democracy Advice Center (ODAC) in planning and organising the Openness and Responsiveness Awards, commonly called the Golden Key Awards.

The Golden Key Awards (GKA), have become a prominent event in the Access to Information community in South Africa, with the awards ceremony itself being the highlight and conclusion of the annual Information Officers’ Forum conference. The 2007 Information Officers’ Forum conference was attended by a hundred and twenty (120) government officials together with representatives from civil society and the private sector. This provided an excellent (and captive) audience for engagement with the mission and purpose of the Awards which is *“to recognise exemplary work in promoting openness, transparency and accountability in the public and private sectors through usage and compliance with the Promotion of Access to Information Act (PAIA)”*. The winners of the 2007 Awards were accorded recognition among their peers and PAIA monitoring bodies as exemplary implementers.

There is an indication that the Golden Key Awards are also attaining recognition regionally. A regional media freedom advocacy organisation has recently announced its own intentions to run a similar awards project modelled on, and actually called, the Golden Key Awards¹.

ODAC thanks the Open Society Foundation (OFS – SA), whose generous grant has made it possible to conduct research needed to form the basis for the awards, and to organise the awards. Special recognition goes to Ms Zohra Dawood (Director: OSF - SA, without whose continued support and belief in the Awards project none of the work done by ODAC and the SAHRC would have been possible

This report is the result of the combined efforts of ODAC, its research team and the SAHRC.

¹ See <http://www.misaorg/mediareleases.html>



The Research Sample and the Award Categories

The research process commenced in March 2007 with a review of the methodology for the research, and the selection of a sample to which the Access to Information indicators would be applied. In an effort to include a representative sample, a total of one hundred and ten institutions (110) (see Annexure 1) was selected from both public and private sectors. The sample comprised of:

1. Twenty-nine (29) national government departments
2. Four (4) provincial government departments in each of the nine provinces. (Housing, Health, Economic Development & The Office of the Premier)
3. Six (6) metropolitan municipal councils
4. Nine (9) district municipal councils
5. Five (5) constitutional bodies (chapter nine institutions and the Public Service Commission, and
6. Twenty-five (25) Johannesburg Securities Exchange (JSE)-listed companies
(The private companies represented the five biggest companies in each of the five sectors selected, namely, the financial, construction, pharmaceutical, retail and mining sectors).

The Panel of Judges agreed to keep the framework for the Awards as it was in 2006, the only difference being the addition of an award for the private sector. Good practice in implementing PAIA was recognised through the following Awards:

- a. **The Openness and Responsiveness Award**
A Public or Private institution that promotes access to information and fully implements PAIA through crafting of enabling policies and organisational procedures.
- b. **The Deputy Information of Officer (DIO), the Year Award**
ADIO (Public or Private), who has performed well in execution of his/her duties in terms of PAIA.
- c. **Requestor Award (Organisation/Individual)**
A Citizen/organisation that has been a frequent user/promoter of PAIA.
- d. **The Best Media Usage/Engagement with PAIA**
A journalist who has best captured issues relating to the use of PAIA.

The Panel of Judges and Decision-making Process

The panel of judges comprised:

- Commissioner Koko Mokgalong, Public Service Commission
- Ms Kate Allan, South African History Archive
- Dr Graham Dominy, National Archives
- Mr Richard Calland, Open Democracy Advice Centre
- Mr Sello Hatang, South African Human Rights Commission
- Mr Console Tleane, Open Society Foundation
- Mr Mondli Makhanya, Sunday Times
- Adv Empie Van Schoor, Department of Public Service and Administration
- Mr Cavel Alexander, Special Investigating Unit



During the course of the research, Mr Jerry Vilakazi (Business Unity SA) agreed to join the judging panel.

The extension of the research sample from twenty-nine (29) units of study in 2006 to a hundred and ten (110) units of study in 2007 indicated that the research team had quite a formidable task ahead of them.

It is only through keen and able stewardship of the panel of judges that the research team was able to deliver data that enabled the panel to announce the winners for the various categories of the Awards on 28 September 2007, the International Right to Know Day.

The panel of judges held two meetings during the course of organising these Awards. The first meeting (19 March 2007), was held to receive and approve the methodology as proposed by the research team, and the second meeting (7 September 2007) took place to consider data collected and to decide on the winners. However, before and after these dates there were numerous e-mail discussions on the methodology and the results of the study.

The section below explains methodology used in applying the Access to Information research tool used to formulate the index. The subsequent section describes categories and indicators used to assess PAIA implementation. Scoring and weighting system which was applied is detailed below. A summary of the overall findings follows. This part of the report concludes with key issues, the challenges and lessons learned during the research experience.

Results for the Public Institutions

I. Methodology

The research team commenced with an internet search for some of the source documents mentioned above. They then requested documents which were not readily available on the websites from the Information Officers (IOs) by way of a formal letter. Questionnaires were then sent to each institution to be completed by the IO or equivalent. This was done via e-mail and fax.

Researchers were required to phone all institutions to ensure that the correspondence had been received. Institutions were given six weeks to respond during which time the researchers made follow-ups fortnightly and kept a log of all communication and information received. During the follow-ups, the IOs were given the option of completing the questionnaire in a telephonic interview format with the researcher noting down the responses.

After the six-week data collection period, the research team analysed the data and together with the panel of judges, scored each institution.

II. Category Description and Indicators

The categories and indicators contained below were taken from a diagnostic tool developed by the Institute for Democracy in South Africa's Right to Know Programme together with ODAC to set and measure implementation standards of access to information



legislation. This was in response to the implementation challenge facing countries, like South Africa, which have legislated access to information.

The four broad categories below applied uniformly to both the public and private sector, however individual indicators varied to reflect firstly, the differences between the sectors, and secondly, the different application of PAIA to public and private bodies.

All public bodies were assessed on a set of 15 indicators, and private bodies on 14 indicators. Most indicators had sub-indicators, with each sub-indicator being worth one point in the scoring process. A full list of indicators is provided in Annexure II.

Category A: Roadmap

A roadmap describes the process for submitting a request for information; provides details of the office that handles requests, and indicates what categories of information are held by an institution - identifying the records which can be disclosed and those which cannot be disclosed. It should include full contact details of the IO and allow a requestor to submit requests by email, telephone, fax, post and in person. The roadmap should be published in the government directory and website. It should also be available at the institution's front office.

Category B: Records Management

This refers to how records are generated, organised and stored. A system must be in place to ensure that all records held by the institution are well documented and organised for records to be easily identified when a request for information is received. This section also includes an investigation on whether guidelines exist how records are created and how institutional correspondence, discussions and materials are documented.

Category C: Internal Mechanisms

Internal mechanisms reveal how well an institution operationalises the provisions set out in PAIA to facilitate access to information. These mechanisms include procedures for documenting requests, processing requests on time, assisting requestors and voluntary publishing of records.

Category D: Resources

The resource category refers to the human and financial resources allocated to PAIA implementation, as well as an institution's commitment to enabling its staff to promote the right to know.

III. Scoring

Each indicator score was determined by the number of its of sub-indicators. Each sub-indicator was accorded one point.



For example, an indicator with three sub-indicators will have a maximum score of 3 and an indicator with no sub-indicator has a maximum score of 1. The distribution of points across both sectors is summarised alongside:

Category	Public	Private
A	6	6
B	6	6
C	24	12
D	11	11
Total	47	35

V. Data Sources

Research was primarily desk-based. As far as possible, data was collected from internet sources, but each institution was contacted for particular additional information. In the case of the public sector the following sources were used:

- Institution websites
- PAIA reports to the SAHRC
- Section 14 PAIA manuals
- Internal PAIA procedures
- Filing Plans
- IO's Questionnaire

In the case of the private sector, data was collected from the following sources:

- Company Websites
- PAIA Manuals
- IO's Questionnaire

VI. Overall Results

a. Research Limitations

The results contained in the tables below details the scores of the respondent entities in selected provincial departments, municipalities and constitutional bodies. The research team experienced particular difficulty in sourcing data from the twenty-nine (29) national government departments and the private sector. Matters were further compounded by the discovery that in most instances the research protocol was not properly adhered to by the researcher handling the national departments and the private sector. It is for this reason that it was decided the data related to these subcategories of the sample could not be totally relied upon. The panel of judges decided that national government departments will not formally be part of the Awards this year but the data would be used for future research.

The work of the research team was also constrained by the departure of the lead researcher, with the Awards project manager having to step in to assist the requesters with the research project.



b. Results and Key Issues

Below are two tables showing the global rankings (table 1), as well as the sectoral rankings (table 2) of all institutions according to categories A, B, C and D, respectively. These tables reflect on responsiveness by provincial and local government and the constitutional bodies. No marks were allocated where a researcher had proof that the institution received the request for information but failed to provide information requested.

c. Directories

The research protocol guiding the researchers demanded that they verify the contact details of the IO and the Deputy Information Officers (DIO) before sending out requests for information that would be used to score the selected institutions.

The Government Communications and Information System (GCIS) Information Officers directory was used as a primary source for the contact details, together with the SAHRC's own database of IOs and DIOs.

However from the onset it became apparent that the current GCIS directory was outdated and in some instances deputy information officers listed there were not aware that they had been designated as deputy information officers.

Dealing with the GCIS directory revealed a need for:

- i. a more rapid updating of the directory, and
- ii. a more structured and formal way of designation of DIOs

d. Lack of responses

It is our researchers' experience that officials still do not adequately provide responses to requests for information. Only 30% of the sample of 56 public bodies (excluding the 29 national government departments and 25 JSE-listed companies) approached for information responded to the requests even as most of them asked the researchers to resend the requests up to four times in certain instances. This low response rate mirrors compliance levels monitored by the SAHRC, survey results of the Open Society Justice Initiative (OSJI) and ODAC.

It is a concern that six years after the PAIA came into force, levels of responsiveness in the public sector have still not improved. This is a critical issue in light of the recent service delivery protests that have plagued the national life.

This current picture is not pleasing; people cannot assert the fundamental human rights to access information because officials are not prioritising better communication and information sharing with the public they are meant to serve.

There is a need to reconnect access to information and transparency with service delivery priorities.



Indeed access to information is an integral component of service delivery. A commitment to the principles of Batho Pele dictates the need for realistic delivery on PAIA.

District municipal councils warrant a keen focus. Only one of the nine district municipal councils selected for the study responded to our request and their response was that they were not ready to participate in the study! If it is indeed true that local government is at the coalface of service delivery, then special attention must be given to improving the flow of information from municipal structures to the public that they are meant to serve.

e. Planning for better compliance

The data received from the respondents to requests for information reveals that most institutions are satisfactorily complying with the statutory requirements for compilation of manuals (with an average score of 57% for “the roadmap” section) and records management (with an average score of 63% in this category). However, the average scores for the two sections measuring performance on aspects going beyond the statutory requirements were very low.

Average scores internal mechanisms and resourcing categories were 28% and 23% respectively. Despite these low scores, other public institutions could learn a lot from best practice established by the Office of the Auditor General (AG) and the City of Cape Town in terms of setting up enabling internal mechanisms for compliance. The Limpopo Provincial Department of Health and Social Development is exemplary in its provision of resources for better compliance with PAIA.

f. Shining stars

Despite problems stated above, recognition must be accorded to stellar performance in trying to meet the spirit of Section 32 of the Constitution of the Republic of South Africa Act 108 of 1996, the PAIA and Principles 5 and 6 of Batho Pele; our government’s blueprint for service delivery.

Researchers ranked the Office of the AG as top scorer in the Access to Information index, a finding endorsed by the judging panel as the overall winner of the Golden Key Award for 2007.

The following were given special recognition: the Limpopo Provincial Department of Health and Social Development (for obtaining the top score by a provincial department), the City of Cape Town, the Public Service Commission, the Gauteng Department of Housing, the South African Police Service and the Western Cape Department of Housing and Local Government. These institutions merited a special citation for best practice in the public sector

ABSA Bank LTD deserves special mention for the manner in which they attempted to meet their obligations in terms of our transparency legislation such as the PAIA and Protected Disclosures Act (the bank has adopted an internal whistleblowing policy). ABSA, a respondent in the sample of twenty-five (25) JSE-listed companies, has obviously gone beyond providing the basic minimums as required by the law, a trend which our research has revealed is quite prevalent in the public sector but more so in the private sector.



Table 1 - Composite list of Public Bodies

Institution	Roadmap	Records Management	Internal Mechanisms	Resources	Total	%	Rank
Auditor-General	5	6	15	3	29	62	1
Health (Limp)	5	6	9	7	27	57	2
City of Cape Town	5	6	15	3	26	55	3
Housing (GP)	4	6	12	3	25	53	4
Housing (WC)	4	6	12	2	24	51	5
Public Service Commission	4	3	12	4	23	49	6
ABSA Bank LTD	3	5	4	4	16	46	7
Health (KZN)	3	6	11	1	21	43	8
Health (FS)	4	2	5	4	15	32	9
Health (EC)	4	4	3	1	12	26	10
Nelson Mandela Bay	0	5	3	3	11	23	11
Office of the Premier (EC)	1	3	3	3	10	21	12
City of Tshwane	0	4	6	0	10	21	12
Housing (Limp)	4	1	1	0	6	13	14
Office of the Premier (KZN)	4	0	0	2	6	13	14
Office of the Premier (GP)	4	0	0	0	4	9	16
Economic Development (KZN)	4	0	0	0	4	9	16
Commission on Gender Equality	0	0	0	0	0	0	0
Independent Electoral Commission	0	0	0	0	0	0	0
Office of the Public Protector	0	0	0	0	0	0	0
Economic Development (EC)	0	0	0	0	0	0	0



Table 1 - Composite list of Public Bodies (continued)

Institution	Roadmap	Records Management	Internal Mechanisms	Resources	Total	%	Rank
Housing (EC)	0	0	0	0	0	0	0
Economic Development (FS)	0	0	0	0	0	0	0
Housing (FS)	0	0	0	0	0	0	0
Office of the Premier (FS)	0	0	0	0	0	0	0
Economic Development (GP)	0	0	0	0	0	0	0
Health (GP)	0	0	0	0	0	0	0
Housing (KZN)	0	0	0	0	0	0	0
Economic Development (Limp)	0	0	0	0	0	0	0
Office of the Premier (Limp)	0	0	0	0	0	0	0
Economic Development (MP)	0	0	0	0	0	0	0
Health (MP)	0	0	0	0	0	0	0
Housing (MP)	0	0	0	0	0	0	0
Office of the Premier (MP)	0	0	0	0	0	0	0
Economic Development (NC)	0	0	0	0	0	0	0
Health (NC)	0	0	0	0	0	0	0
Housing (NC)	0	0	0	0	0	0	0
Office of the Premier (NC)	0	0	0	0	0	0	0
Economic Development (NW)	0	0	0	0	0	0	0
Health (NW)	0	0	0	0	0	0	0
Housing (NW)	0	0	0	0	0	0	0
Office of the Premier (NW)	0	0	0	0	0	0	0
Economic Development (WC)	0	0	0	0	0	0	0



Table 1 - Composite list of Public Bodies (continued)

Institution	Roadmap	Records Management	Internal Mechanisms	Resources	Total	%	Rank
Health (WC)	0	0	0	0	0	0	0
Office of the Premier (WC)	0	0	0	0	0	0	0
Ekurhuleni Metropolitan Municipality	0	0	0	0	0	0	0
Ethekwini Metropolitan Municipality	0	0	0	0	0	0	0
City of Johannesburg Metropolitan Municipality	0	0	0	0	0	0	0
Bophirima	0	0	0	0	0	0	0
Cacadu	0	0	0	0	0	0	0
Capricorn	0	0	0	0	0	0	0
Frances Baard	0	0	0	0	0	0	0
Ehlanzeni	0	0	0	0	0	0	0
Indlovu	0	0	0	0	0	0	0
Motheo	0	0	0	0	0	0	0
West Coast	0	0	0	0	0	0	0
West Rand	0	0	0	0	0	0	0



Table 2 - Categories and levels of Public Bodies

Institution	Roadmap	Records Management	Internal Mechanisms	Resources	Total	%	Rank
PUBLIC SECTOR							
Provincial Government							
Health (Limp)	5	6	9	7	27	57	1
Housing (GP)	4	6	12	3	25	53	2
Housing (WC)	4	6	12	2	24	51	3
Health (KZN)	3	6	11	1	21	43	4
Health (FS)	4	2	5	4	15	32	5
Health (EC)	4	4	3	1	12	26	6
Office of the Premier (EC)	1	3	3	3	10	21	7
Housing (Limp)	4	1	1	0	6	13	8
Office of the Premier (KZN)	4	0	0	2	6	13	8
Office of the Premier (GP)	4	0	0	0	4	9	9
Economic Development (KZN)	4	0	0	0	4	9	9
Economic Development (EC)	0	0	0	0	0	0	0
Housing (EC)	0	0	0	0	0	0	0
Economic Development (FS)	0	0	0	0	0	0	0
Housing (FS)	0	0	0	0	0	0	0
Office of the Premier (FS)	0	0	0	0	0	0	0
Economic Development (GP)	0	0	0	0	0	0	0
Health (GP)	0	0	0	0	0	0	0
Housing (KZN)	0	0	0	0	0	0	0
Economic Development (Limp)	0	0	0	0	0	0	0



Table 2 - Categories and levels of Public Bodies (continued)

Institution	Roadmap	Records Management	Internal Mechanisms	Resources	Total	%	Rank
Office of the Premier (Limp)	0	0	0	0	0	0	0
Economic Development (MP)	0	0	0	0	0	0	0
Health (MP)	0	0	0	0	0	0	0
Housing (MP)	0	0	0	0	0	0	0
Office of the Premier (MP)	0	0	0	0	0	0	0
Economic Development (NC)	0	0	0	0	0	0	0
Health (NC)	0	0	0	0	0	0	0
Housing (NC)	0	0	0	0	0	0	0
Office of the Premier (NC)	0	0	0	0	0	0	0
Economic Development (NW)	0	0	0	0	0	0	0
Health (NW)	0	0	0	0	0	0	0
Housing (NW)	0	0	0	0	0	0	0
Office of the Premier (NW)	0	0	0	0	0	0	0
Economic Development (WC)	0	0	0	0	0	0	0
Health (WC)	0	0	0	0	0	0	0
Office of the Premier (WC)	0	0	0	0	0	0	0
Local Government							
Metro:							
City of Cape Town	5	6	15	3	26	55	1
Nelson Mandela Bay	0	5	3	3	11	23	2
City of Tshwane	0	4	6	0	10	21	3



Table 2 - Categories and levels of Public Bodies (continued)

Institution	Roadmap	Records Management	Internal Mechanisms	Resources	Total	%	Rank
Ekurhuleni Metropolitan Municipality	0	0	0	0	0	0	0
Ethekwini	0	0	0	0	0	0	0
Johannesburg	0	0	0	0	0	0	0
District Municipality:							
Bophirima	0	0	0	0	0	0	0
Cacadu	0	0	0	0	0	0	0
Capricon	0	0	0	0	0	0	0
Frances Baard	0	0	0	0	0	0	0
Ehlangeni	0	0	0	0	0	0	0
Indlovu	0	0	0	0	0	0	0
Motheo	0	0	0	0	0	0	0
West Coast	0	0	0	0	0	0	0
West Rand	0	0	0	0	0	0	0
Constitutional Bodies:							
Auditor-General	5	6	15	3	29	62	1
Public Service Commission	4	3	12	4	23	49	2
Commission on Gender Equality	0	0	0	0	0	0	0
Independent Electoral Commission	0	0	0	0	0	0	0
Office of the Public Protector	0	0	0	0	0	0	0



VI. Research Experiences

While there were pleasing moments, the research process was not an easy one at the best of times. One of the key challenges in undertaking the research was communication. Mostly, the researchers had contact with personal assistants of Heads of Departments, and it is at this point where things seemed to come undone. The protocol required researchers to phone all institutions to ensure request had been received and were to make follow-ups fortnightly. This meant that telephonic contact was the researchers' vital access tool and link to all institutions involved in the study.

Access was made difficult when some departments did not make answering the phone a priority. For instance, it took the researcher five (5) weeks and three (3) days to establish contact with Eastern Cape's Office of the Premier as no one would pick up the phone (despite the fact that the researcher called on more than four different phone numbers), or acknowledge receiving the request that was sent to the Office by post. When the researcher was finally able to get through (using the very same numbers she had been using for the past five weeks), and raised her concerns over lack of



Panel Presenters: Delegates from the Kenyan Law Commission and Chair of the Coordinating Committee of Deputy Information Officers: Advocate Graig Philander

access, she was responded to with an unconcerned "OK"- offering no explanation for lack of "responsiveness".

Training of frontline officials remains critical particularly because this level of staff is the first interface between requesters and the institution. Although the researchers got the sense that frontline staff from most of the institutions had some knowledge of PAIA, it was still a concern when one researcher found that there were frontline staff (from Eastern Cape's Economic Affairs, Environment and Tourism) who did not know what an Information Officer was, six years after PAIA came into force.

PAIA implementation was also weak in other areas research follow-ups, were often met with what seemed like rather compunctious pleas by frontline staff to "fax the request again". In some instances, the researcher was asked to resend the same request to the same department more than three times. Not only did this generally reflect lack of efficiency, it also compromised speedy processing of requests as a request would not reach the relevant person on time.

On the only occasion that the researcher was able to reach the direct telephone line of the IO, she received an irritated response from an outraged Municipal Manager of Johannesburg who demanded to know how the researcher obtained his direct office telephone number! This kind of response strengthens the idea that officials have to be assisted in committing to and entrenching the principles of openness, transparency and responsiveness within the normal course of work.



Awards

DIO of the Year Award

There was a limited pool of nominees for this Award. Two nominations were received, one nominating Senior Superintendent Amelda Crooks from the South African Police Service, and the other nominating Eddie Laubscher from ESKOM.

To assess the performance of the nominees the following areas were investigated:

- The interaction the DIO has with requestors
- The availability of internal PAIA guidelines to members of the public
- Transfer of requests to other departments where necessary
- Support provided to other DIOs within the institution
- Ability to engage with broader issues that influence implementation of PAIA

After reviewing all supporting documentation relating to the nominations, the judging panel agreed that both Ms Crooks and Mr. Laubscher be awarded for their outstanding performance in terms of the defined areas. Both exhibited a commitment to realizing the ideals embodied in PAIA, and to fostering a culture of transparency and accountability within the institutions.

Requestor Award (Organisation/Individual)

For this year's Awards, there were no nominations in this category. However, the panel of judges recognised various organisations for their dedicated work on PAIA. These organisations are BioWatch SA, The Black Sash and Earthlife Africa.

The research protocol provides that for an organisation or individual to be recognised for these Awards, specific characteristics are assessed. These are characteristics and outputs include:

- Efforts by the organisation to fight secrecy in the structures of government, business and civil society.
- The degree of public interest in the work of the organisation.
- The extent to which the organisation's work has contributed to creating more public awareness on issues of openness, accountability and transparency.
- The number of PAIA requests the organisation has made.
- Efforts by the organisation to raise public awareness on PAIA and its usage.

Journalist Award

This Award was established to recognise media practitioners who have engaged with PAIA, either by covering the development on the Act itself and its usage, or by using it for investigative purposes.



The following assessments are considered in deciding for the winner for this Award:

- Efforts by journalist to expose unjustified non disclosure within government, business and civil society.
- The presence of public interest issues in the articles/stories/work of the journalist.
- The extent to which the journalist's work/article/story has contributed to creating increased public awareness on issues of openness, accountability and transparency.
- The number of PAIA requests the journalist has made in investigating stories.
- The number of times the journalist had covered issues on, or relating to PAIA.

There were no nominations for this Award.

Conclusion

The research team wishes to thank the panel of judges for their guidance and robust interaction with the entire research process. The leadership of Commissioner Koko Mokgalong, the insightful and incisive feedback given by members of the panel helped protect the credibility of the process.

The many DIOs who co-operated with the research team are also acknowledged. Finally, the leadership of ODAC, the SAHRC and the OSF-SA are also commended and thanked for making this challenging yet exciting project a possibility.



Participants noting commentary during presentations



The Press Ombud: Joe Tholoe and members of the Kenyan Law Commission



Annexure I: The Sample

National Government Departments
Agriculture
Arts and Culture
Communications
Correctional Services
Defence
Education
Environmental Affairs and Tourism
Foreign Affairs
Health
Home Affairs
Housing
Justice and Constitutional Development
Labour
Land Affairs
Minerals and Energy
National Intelligence Agency
Presidency
Provincial & Local Government
Public Enterprises
Public Service and Administration
Public Works
SA Police Service
Science and Technology
Sport & Recreation

Social Development
Trade and Industry
Transport
Treasury
Water Affairs and Forestry
Provincial Government Departments
EASTERN CAPE Eastern Cape economic Development
EASTERN CAPE Health
EASTERN CAPE Housing
EASTERN CAPE Premier's Office
FREE STATE Economic Development
FREE STATE Health
FREE STATE Housing
FREE STATE Premier's Office
GAUTENG Economic Development
GAUTENG Health
GAUTENG Housing
GAUTENG Premier's Office
KWAZULU-NATAL Economic Development
KWAZULU-NATAL Health
KWAZULU-NATAL Housing
KWAZULU-NATAL Premier's Office
LIMPOPO Economic Development
LIMPOPO Health

LIMPOPO Housing
LIMPOPO Premier's Office
MPUMALANGA Economic Development
MPUMALANGA Health
MPUMALANGA Housing
MPUMALANGA Premier's Office
NORTHERN CAPE Economic Development
NORTHERN CAPE Health
NORTHERN CAPE Housing
NORTHERN CAPE Premier's Office
NORTH WEST Economic Development
NORTH WEST Health
NORTH WEST Housing
NORTH WEST Premier's Office
WESTERN CAPE Economic Development
WESTERN CAPE Health
WESTERN CAPE Housing
WESTERN CAPE Premier's Office
Metros
Cape Town
Ekurhuleni
Ethekwini
Johannesburg
Nelson Mandela Bay
Tswane



Annexure I: The Sample - continued

District Councils
Bophirima (NW)
Capricon (Limpopo)
Frances Baard (NC)
Ehlanzeni (MP)
Indlovu (KZN)
Metheo (FS)
Cacadu (EC)
West Coast (WC)
West Rand (GP)
Chapter 9 Institutions
Auditor General
Commission for Gender Equality
Electoral Commission
Public Protector
Public Service Commission
Companies
ABSA Group
AngloGold
Aspen Pharmacare
Aveng
DRD Gold
Edgars Consolidated Stores
Enaleni Pharmaceuticals

FirstRand
Foschini
Gold Fields
Group Five
Harmony Gold Mining
Medi-Clinic Corporation
Mittal Steel
Murray & Roberts
Nedcor
Network Healthcare
New Clicks
Pick 'n Pay Stores Ltd
Pretoria Portland Cement
Shoprite
Standard Bank
Simmers & Jack
Woolworths



Advocate Graig Philander reporting on behalf of the SAHRC PAIA secretariat and the Coordinating Committee



Sello Hatang (SAHRC) and Mukelani Dimba (ODAC), congratulate Mpho Ngoepe (Office of the Auditor-General) on his award



Annexure II: Indicators

PUBLIC SECTOR		SCORE	SOURCE
I	Roadmap	6	
1	Is the process for submitting requests readily available to requestors and does the process of submitting requests accommodate different ways of making a request?	2	
1a	Does the institution list the Information Officer and/or Deputy Information(s) as the focal point for information requests?		PAIA Manual
1b	Are full contact details provided including physical address, postal address, fax number and e-mail address?		PAIA Manual
2	Is there a list of all categories of records held by the institution, which also identifies those records which can be disclosed and those which cannot?	4	PAIA Manual
2a	Is there a list of all categories of records held?		PAIA Manual
2b	Is the list disaggregated to show categories of records held which are routinely available?		PAIA Manual
2c	Is the list disaggregated to show categories of records held which are available on request?		PAIA Manual
2d	Is there a list of categories of records held which cannot be disclosed?		PAIA Manual
II	Records Management	6	
3	Is there an efficient system for the storage and organisation of records?	5	
3a	What system is used to organise records?		Questionnaire
3b	What system is used to archive information?		Questionnaire
3c	Is there a file plan?		Questionnaire and File Plan
3d	Has a Records Manager been appointed?		Questionnaire
3e	Does the Records Manager have any responsibilities in terms of PAIA implementation?		Questionnaire
4	Are there rules governing the generation of a record?	1	Questionnaire and Instruction / Policy Document
III	Internal Mechanisms	24	
5	Is there a system for recording and reporting on both the number of requests received and how they were responded to?	5	
5a	Is there a log of requests?		Questionnaire
5b	Are the number of requests received provided?		Questionnaire



Annexure II: Indicators - continued

PUBLIC SECTOR		SCORE	SOURCE
5c	Is the information being requested captured by the system?		Questionnaire
5d	Are the responses to the requests provided?		Questionnaire
5e	Is the date when the request was responded to provided?		Questionnaire
6	Are requests recorded in detail?	3	
6a	Number of requests received?		Section 32 Report
6b	Responses to the requests?		Section 32 Report
6c	Appeals lodged?		Section 32 Report
7	Are there adequate internal guidelines for frontline officials on how to handle requests?	4	
7b	Are frontline staff instructed on how to deal with requesters?		Questionnaire and telephonic verification
7c	Are frontline staff provided with a referral list of the Deputy Information Officers?		Questionnaire and telephonic verification
7d	Do frontline staff know about PAIA?		Questionnaire and telephonic verification
7e	Do frontline staff refer requesters to the Deputy Information Officer or equivalent?		Questionnaire and telephonic verification
8	Are there effective internal procedures for processing requests and communicating with requestors to ensure that requests are responded to within 30 days?	5	
8a	Are requests acknowledged upon receipt?		Questionnaire
8b	Is there an internal tracking system?		Questionnaire
8c	Is the system above manual or electronic?		Questionnaire
8d	If the system is electronic, was it specifically designed for handling and processing PAIA requests?		Questionnaire
8e	Are there time frames indicating the internal routing of the request?		Questionnaire
9	Are there adequate internal procedures for assisting disadvantaged requesters?	5	
9a	Are there standing orders for assisting visually impaired requesters?		Questionnaire, standing orders and policy
9b	Are there standing orders for assisting illiterate requesters?		Questionnaire, standing orders and policy



Annexure II: Indicators - continued

PUBLIC SECTOR		SCORE	SOURCE
9c	Are there standing orders for assisting requestors who are unable to communicate in English/ the working language of government?		Questionnaire, standing orders and policy
9d	Other than IT-based communication tools, such as websites, how else does the institution share information with members of the public?		Questionnaire
9e	Does the institution have a policy of waiving request fees from requesters who are unemployed can not afford to pay the request fee?		Questionnaire, standing orders and policy
10	Is there an implementation plan which operationalises the Act?	1	Implementation Plan
11	Is there an internal rule that encourages regular publication of records?	1	Questionnaire and Copy of an instruction/ policy
IV	Resources	11	
12	Are there financial resources allocated to the implementation of the Act?	1	Questionnaire
13	Have staff been designated and trained to facilitate access to information?	3	
13a	Number of staff designated?		Questionnaire
13b	Training received?		Questionnaire
13c	Specific responsibilities of designated staff?		Questionnaire
14	Is there a unit, or equivalent dedicated structure, established to monitor and coordinate the implementation of the Act?	5	
14a	To whom does the structure report?		Questionnaire
14b	Has the Director-General/ Head of Department/ Municipal Manager authorised the establishment of an implementation structure for PAIA?		Questionnaire
14c	What are its terms of reference?		Questionnaire
14d	How often does it meet?		Questionnaire
14e	Who are its members? (Note: Official designations. We are testing for seniority of the members)		Questionnaire
15	Are there adequate incentives in place to ensure that staff comply with the Act and sanctions for non-compliance?	2	
15a	Code of conduct?		Questionnaire
15b	Incentives e.g. compulsory training, monetary rewards?		Questionnaire
	Total	47	



Annexure II: Indicators - continued

PRIVATE SECTOR		SCORE	SOURCE
I	Roadmap	6	
1	Is the process for submitting requests readily available to requestors and does the process of submitting requests accommodate different ways of making a request?	2	
1a	Does the company list the Information Officer as the focal point for information requests?		PAIA MANUAL
1b	Are full contact details provided including physical address, postal address, fax number and e-mail address?		PAIA MANUAL
2	Is there a list of all categories of records held by the institution, which also identifies those records which can be disclosed and those which cannot?	4	
2a	Is there a list of all categories of records held?		PAIA MANUAL
2b	Is the list disaggregated to show categories of records held which are routinely available?		PAIA MANUAL
2c	Is the list disaggregated to show categories of records held which are available on request?		PAIA MANUAL
2d	Is there a list of categories of records held which cannot be disclosed?		PAIA MANUAL
II	Records Management	6	
3	Is there an efficient system for the storage and organisation of records?	3	
3a	What system is used to organise records?		Questionnaire
3b	What system is used to archive information?		Questionnaire
3c	How long are company records retained before they are destroyed?		Questionnaire
4	Are there rules governing the generation of a record?	1	Questionnaire
5	What are the rules governing the disclosure of company information?	2	
5a	Who has a right to access, inspect and copy, records of the company?		Questionnaire
5b	What internal company document (other than national legislation) established this right?		Questionnaire
III	Internal Mechanisms	12	
6	Are there adequate internal guidelines for frontline officials on how to handle requests?	4	
6a	Are frontline staff instructed on how to deal with requesters?		Questionnaire and telephonic verification
6b	Are frontline staff provided with a referral list of the Information Officers?		Questionnaire and telephonic verification



Annexure II: Indicators - continued

PRIVATE SECTOR		SCORE	SOURCE
6c	Do frontline staff know about PAIA?		Questionnaire and telephonic verification
6d	Do frontline staff refer requestors to the Information Officer or equivalent?		Questionnaire and telephonic verification
7	Are there effective internal procedures for processing requests and communicating with requestors to ensure that requests are responded to within 30 days?	5	
7a	Are requests acknowledged upon receipt?		Questionnaire
7b	Is there an internal tracking system?		Questionnaire
7c	Is the system above manual or electronic?		Questionnaire
7d	If the system is electronic, was it specifically designed for handling and processing PAIA requests?		Questionnaire
7e	Are there time frames indicating the internal routing of the request?		Questionnaire
8	Is there a whistle-blowing policy?	1	Questionnaire and Copy of Policy
9	Does the whistle-blowing policy above provide whistle-blowers with protection against criminal or civil liability and compensation for damages as a result of disclosure?	1	Questionnaire and Copy of Policy
10	Is there an internal rule that encourages regular publication of company information?	1	Questionnaire and Copy of Policy / Instruction
IV	Resources	7	
11	Are there financial resources allocated to the implementation of the Act?	1	Questionnaire and PAIA Budget
12	Have staff been designated and trained to facilitate access to information?	3	
12a	Number of staff designated?		Questionnaire
12b	Training received?		Questionnaire
12c	Specific responsibilities of designated staff?		Questionnaire
13	Is there a unit, or equivalent dedicated structure, established to monitor and coordinate the implementation of the Act?	5	Questionnaire
13a	To whom does the structure report?		Questionnaire
13b	Has the Director-General/ Head of Department/ Municipal Manager authorised the establishment of an implementation structure for PAIA?		Questionnaire



Annexure II: Indicators - continued

PRIVATE SECTOR		SCORE	SOURCE
13c	What are its terms of reference?		Questionnaire
13d	How often does it meet?		Questionnaire
13e	Who are its members? (Note: Official designations. We are testing for seniority of the members)		Questionnaire
14	Are there adequate incentives in place to ensure that staff comply with the Act and sanctions for non-compliance?	2	
14a	Code of conduct?		Questionnaire
14b	Incentives e.g. compulsory training, monetary rewards?		Questionnaire
Total		35	



Mukelani Dimba, Ms Kate Allan (SAHA) and Sello Hatang, congratulate Ms Maumela (receiving the award on behalf of the Limpopo Provincial Department of Health and Social Development)



Left to Right: Mukelani Dimba, Ms Maumela, Sello Hatang, Ms Amelda Crooks Award Recipient (SAPS), Eddie Laubscher: Award Recipient (ESKOM) and Kate Allan



DIOs wait with bated breath for award announcements





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