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FUTURE PERFECT
SKILLS DEVELOPMENT

PROMOTION OF ACCESS TO INFORMATION ACT 2 of 2000

MANUAL IN TERMS OF SECTION 14

in respect of

FIBRE PROCESSING AND MANUFACTURING SECTOR EDUCATION AND TRAINING AUTHORITY

SIGNED BY: _____

Dr. Felleng Yende – CEO /Chief Information Officer

1 INTRODUCTION

1.1 This Manual is published in terms of Section 14 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the Constitution which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and / or protection of any right.

1.2 The provision of any information in addition to that specifically required in terms of Section 14 of the Act does not create any contractual right or entitlement to receive such information, other than in terms of the Act.

2 FIBRE PROCESSING AND MANUFACTURING SECTOR EDUCATION AND TRAINING AUTHORITY ("FP&M SETA") OVERVIEW

2.1 FP&M SETA is defined in the Act as a public body, which encompass any department of state or administration in the national or provincial sphere of government or any other function or institution thereof which exercises a power or performs a duty in terms of the Constitution or exercises a public power or performs a public function in terms of any legislation.

2.2 FP&M SETA supports the constitutional right of access to information and is committed to provide any requester access to our records in accordance with the provisions of the Act.

2.3 The purpose for which FP&M SETA has been established is to provide an institutional framework to devise and implement national, sectoral and workplace strategies that are aligned with the objectives of national economic and social development. These strategies will be developed within the context of: -

- Supporting the development and improvement of skills development interventions.
- Providing an assurance of quality in education and training:
- Enhancing access to learning opportunities:
- Encouraging active employer participation: Supporting the objectives of the Employment Equity Act; and
- Addressing the needs of the South African labour market including that of employers, workers; and small, medium, and micro enterprises.
- FP&M SETA has all such powers as are necessary to enable it to perform its duties as set out above and any other powers conferred upon it by virtue of the Skills Development Act.

3 AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on our website (www.fpmseta.org.za) or by sending a request for a copy to the FP&M SETA Information Officer or Deputy Information Officer by email. The Manual may also be obtained from our office, the South African Human Rights Commission ("SAHRC") at the address set out below or from the Government Printers.

4 FUNCTIONS AND STRUCTURE OF FP&M SETA

4.1 FP&M SETA is a Sector Education & Training Authority established in terms of section 9 (1) of the Skills Development Act No. 97 of 1998.

4.2 The functions of FP&M SETA are *inter alia* to: -

- assist to promote job creation, economic growth and decent work in the Sector;
- co-ordinate the development of an overall training and education strategy for the Sector;
- develop an integrated sector skills plan, incorporating sub-sector skills training requirements and objectives, within the framework of the national skills strategy;
- implement the sector skills plan by –
- approving workplace skills plans;
- establishing learnerships;
- disbursing grants in terms of the Act, and its regulations;
- monitoring education and training in the Sector.
- promote learnerships in each of the sub-sectors of the SETA;
- perform the functions of an Education and Training Quality Assurance Body;
- liaise with the National Skills Authority on –
- national skills development policy;
- the national skills development strategy; and
- its sector skills plan;
- conclude a service level agreement with the Director-General of the Ministry of Higher Education and Training in terms of section 10A of the Act;
- promote the national standard established in terms of section 30B of the Act;
- submit to the Director-General of the Ministry of Higher Education and Training –
- any budgets, reports and financial statements on its income and expenditure that it is required to prepare in terms of the Public Finance Management Act, 1999; and
- plans and reports on the implementation of its Sector Skills Plan and service level agreement;
- liaise with the employment services of the Department of Labour and any education body established under any law regulating education in the Republic, to improve information –
- about employment opportunities; and
- between education and training providers and the Labour market;
- facilitate the involvement of relevant government departments in the activities of the SETA to –
- address the competency requirements for social delivery;
- address the learning needs of the most vulnerable segments of the Sector;
- promote training in SMMEs to enable them to qualify for public contracts; and

- perform any duties imposed by the Act and to actively pursue concrete measures to achieve the objectives of the Act.

4.3 FP&M SETA has all such powers as are necessary to enable it to perform its duties as set out above and any other powers conferred upon it by virtue of the Skills Development Act.

5 VISION, MISSION, AND STRATEGIC PROGRAMMES

5.1 Vision

To provide the Fibre Processing and Manufacturing sector with a quality post-schooling education and training system that will produce a highly skilled and motivated workforce, enhancing productivity and competitiveness of the sector leading to sector growth and sustainable employment opportunities for all.

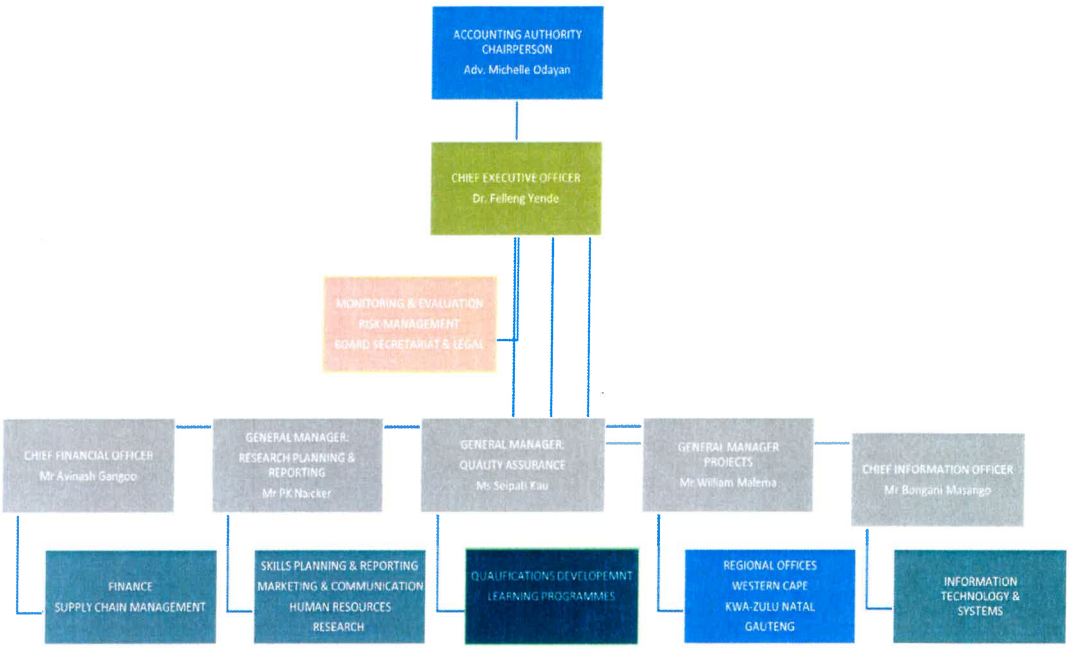
5.2 Mission

The FP&M SETA will:

- Identify skills priorities and needs based on collaborative input from all key stakeholder groups within the FP&M Sector.
- Develop quality occupationally directed learning programmes
- Implement an integrated skills development qualifications framework to promote skills acquisition, career planning and access to the world of work
- Provide opportunities for all, including the latent demands of SMMEs and the unemployed in satisfying the national skills development needs.

5.3 Strategic Objectives

- The Strategic Objective of the FP&M SETA are aligned to the Strategic objectives and key activities of NSDS III:
- Increasing access to occupationally directed programmes.
- Promoting the growth of a public FET college system that is responsive to sector, local, regional and national skills needs and priorities.
- Addressing the low level of youth and adult language and numeracy skills to enable additional training
- Encouraging better use of workplace-based skills development.
- Encouraging and supporting cooperatives, small enterprises, worker-initiated, NGO and community training initiatives
- Increasing public sector capacity for improved service delivery and supporting the building of a developmental state
- Building career and vocational guidance



5.4. Contact Details of The Information Officer and Deputy Information Officer

RESPONSIBILITIES	PHONE	EMAILS
Information Officer Dr. Felleng Yende	011 403 1700	FellengY@fpmseta.org.za
Deputy Information Officer Adv. Samksloe Sibiya	011 403 1700	SamkeloS@fpmseta.org.za

6 UPDATING OF MANUAL

This Manual will be updated and published, if necessary, at intervals of not more than 1 (one) year as prescribed in the Act.

7 HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

The Guide is available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:
PAIA Unit

The Research and Documentation Department
Postal address: Private Bag 2700, Houghton, 2041
Telephone: +27 11 877 3600
Fax: +27 11 403 0625
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

8 HOW TO REQUEST ACCESS TO RECORDS HELD BY FP&M SETA

8.1 Records that may be requested

The Form A as per the Promotion of Access to information Act should be submitted together with other relevant necessary information supporting such a request.

The records to be requested by a requester means any recorded information regardless of its form or medium which is in the possession or under the control of FP&M SETA whether or not it was created by FP&M SETA or not.

8.2 Request procedures.

8.2.1 A requester shall be given access to a record held by FP&M SETA if the following requirements, as set out in the Act, are met, namely:

- that the requester complies with all the procedural requirements contemplated in the Act relating to a request, and
- that access to that requested record is not refused in terms of any ground for refusal contemplated in the Act.
- The right of a requester to access information in terms of this Act is not affected by any reasons given by that requester, or any belief by the Information Officer as to what the reasons for the request may be.

8.2.2 Requests for access to records held by FP&M SETA must be made on the prescribed request forms (on payment of the prescribed fees, if any) that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za under "regulations"). For convenience a copy is also included in this manual.

8.2.3 Requests for access to records must be made to the Information Officer at the address, fax number or electronic mail address provided for above.

8.2.4 The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed of FP&M SETA's decision regarding such request in a manner and state the necessary particulars to be so informed. The requester must also state whether the record concerned is preferred in a particular language and specify his or her postal address or fax number in the Republic of South Africa.

8.2.5 If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

8.2.6 Should an individual be unable to make a request for access to a record of FP&M SETA because of illiteracy or disability, he or she may make such a request orally. The Information Officer of FP&M SETA must then reduce the oral request to writing in the prescribed form and supply the requester with a copy thereof.

9 SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC

9.1 Nature of services

9.1.1 FP&M SETA's services include:-

- implement its sector skills plan by establishing learnerships, approving workplace skills plans, allocating grants as well as monitoring education training in the sector;
- promote learnerships by identifying workplaces for practical work experience, supporting the development of learning materials, improving the facilitation of learning, and assisting in the conclusion of learnership agreements;
- register learnership agreements;
- collect and disburse the skills development levies in its sector.

9.1.2 These services are not available to members of the public but rather to employers and workers falling within FP&M SETA's designated economic sector.

9.2 How to gain access to these services

Provided that a member of the public falls within the definition of an employer or worker in FP&M SETA's designated economic sector (as defined in the Skills Development Act), he/she may gain access to these services by submitting a request to the Information Officer of FP&M SETA at the above address.

10 ARRANGEMENT FOR PUBLIC PARTICIPATION IN POLICY FORMULATION

The Skills Development Act and the Constitution of FP&M SETA provide for participation of workers and employers in FP&M SETA's designated economic sector only. Persons falling within this group may attend general meetings of FP&M SETA, may elect the board of FP&M SETA and stand for election to such board in accordance with FP&M SETA's constitution and the Skills Development Act.

11 REMEDIES AVAILABLE FOR NON-COMPLIANCE

FP&M SETA does not have an internal appeal procedure relevant to the Act. Accordingly, a dispute regarding the Act may be resolved by approaching the relevant court directly.

12 OTHER INFORMATION AS MAY BE PRESCRIBED IN THE ACT

There is currently no information available from the Minister of Justice and Constitutional Development in terms of section 92 to be inserted here.

13 PRESCRIBED FEES

13.1 The Act sets out two types of fees, namely a request fee and an access fee, they are required to be paid prior to FP&M SETA accessing the request for information.13.2A personal requester, i.e., a requester who requests access to a record containing personal information is not required to pay the request fee. Any other requester, who is not a personal requester, will be required to pay such fee.

13.3 The requester (other than a personal requester) must be notified by the Information Officer to pay the prescribed request fee before processing the request.

13.4 Should the requester be aggrieved by the tender or payment of the request fee, the requester may bring an application to court.

13.5 The Information Officer must notify the requester of his/her decision in the manner specified by the requester.

13.6 If the Information Officer granted the request, a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to prepare and search for the requested record.

13.7 The prescribed fees are set out below in terms of the regulations contemplated in the Act.

14 RECORDS HELD BY FP&M SETA

The FP&M SETA maintain records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

14.1 Internal records

The following are records pertaining to FP&M SETA's own affairs:

- Constitution of FP&M SETA
- Strategic projects information
- Strategic procurement
- SCM stakeholders' management
- Governance, Monitoring, and compliance information
- Financial records
- Operational records
- Intellectual property
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;

- Internal policies and procedures;
- Records held by officials of the public body.

14.2 Personnel records

Personnel refers to any person who works for or provides services to or on behalf of FP&M SETA and receives or is entitled to receive any remuneration and any other person who assist in carrying out or conducting any work or services of FP&M SETA. This includes, without limitation, directors, heads of departments, managers, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to the public body by their personnel;
- Any records a third party has provided to the public body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

14.3 Work-related records

Work-related information includes the following:

- Any records a third party has provided to the public body; and
- Records generated by or within the public body pertaining to work or services, including transactional records.

14.4 Other Parties

Records are kept in respect of other parties, including without limitation, employers, workers, contractors, suppliers, departments, divisions and service providers. Alternatively, such other parties may possess records, which can be said to belong to the public body. The following records fall under this category:

- Personnel, work or service-related records which are held by another party as opposed to being held by FP&M SETA; and
- Records held by FP&M SETA pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about their contractors/suppliers.

14.5 Other Records

Further records are held including:-

- Information relating to FP&M SETA’s own commercial activities; and
- Research information belonging to FP&M SETA or carried out on behalf of a third party.