
INFORMATION MANUAL OF THE WESTERN CAPE BLOOD SERVICE NPC (Registration Number 1943/016692/08) IN TERMS OF SECTIONS 14 AND 51 OF THE PROMOTION OF ACCESS TO THE INFORMATION ACT, 2 OF 2000

Last Updated: 20 February 2024

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FORM 02 - REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY [REGULATION 7]
FORM 03 - OUTCOME OF REQUEST AND OF FES PAYABLE [REGULATION 8]

1) INTRODUCTION

In terms of Section 32 of the Bill of Rights in the Constitution of the Republic of South Africa, Act No. 108 of 1996 every person has a right to access information. In order to fulfil this constitutional obligation, the Promotion of Access to Information Act No. 2 of 2000 (“the Act”) was promulgated and assented by the President.

The purpose of the Act is to give effect to the constitutional right of access to any information held by the state, public and private companies as well as information held by another person that is required for the exercise or protection of any right.

The motivation for giving effect to the right of access to information is to:

Foster a culture of transparency and accountability in both public and private bodies; and promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all their rights.

Section 9 of the Act, however recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- i) Limitations aimed at the reasonable protection of privacy;
- ii) Commercial confidentiality;
- iii) Effective, efficient and good governance; and
- iv) In a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

2) PURPOSE

The purpose of this manual is to facilitate requests for access to records of the Western Cape Blood Service (“WCBS”).

This manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in the Act. Requestors are advised to familiarise themselves with the provisions of the Act before making any requests to WCBS in terms of the Act.

WCBS makes no representation and gives no undertaking or warranty that the information in this manual or any information provided by it to a requester is complete or accurate, or that such information is fit for a particular purpose. All users of any such information shall use such information entirely at their own risk, and it shall not be liable for any loss, expense, liability or claims, howsoever arising, resulting from the use of this manual or of any information provided by WCBS or from any error therein.

All users irrevocably agree to submit exclusively to the law of the Republic of South Africa and to the exclusive jurisdiction of the Courts of South Africa in respect of any dispute arising out of the use of this manual or any information provided by WCBS.

3) AVAILABILITY OF THE MANUAL

This manual may be obtained by a requestor:

- i) On WCBS’ website
- ii) On receipt of a written request to the Company Secretary; or
- iii) At the South African Human Rights Commission.

4) WCBS BACKGROUND

WCBS is a non-profit company, with limited liability, duly incorporated in terms of the Companies Act, Act 71 of 2008, as amended, which relies on voluntary non-remunerated donors providing all patients with sufficient, safe quality blood products and medical services related to blood transfusion in an equitable and cost-effective manner.

5) FUNCTION OF WCBS

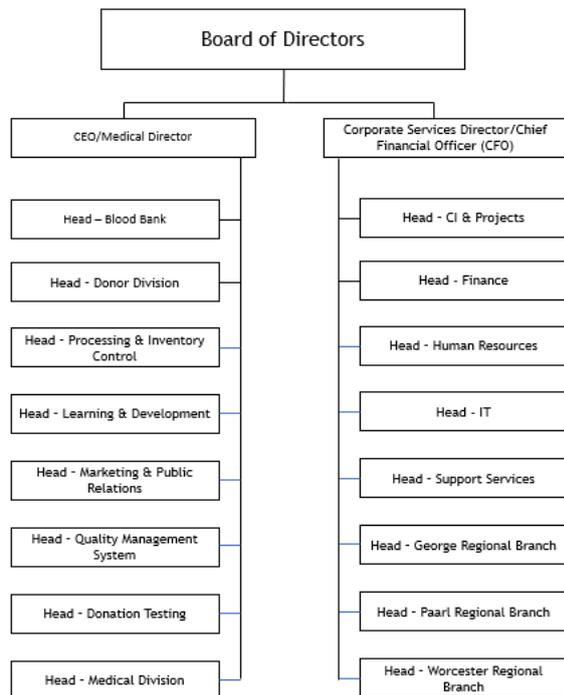
The function of the WCBS is to provide patient(s) with all product(s) and service(s) related to the practice of blood transfusion medicine in South Africa as envisaged in the National Health Act, 61 of 2003 and other medical related services.

6) MISSION STATEMENT

Western Cape Blood Service is a community based regional health organisation formed by an association of voluntary blood donors dedicated to providing the safest blood products and efficient service to the community, while operating at the highest professional and ethical standards and remaining a viable organisation.

1. Monitoring and anticipating the requirements of the Western Cape population for all blood and related products.
2. Providing safe and appropriate total blood service for donors and patients in the Western Cape and supporting other Services in times of need.
3. Recruiting and maintaining an adequate number of healthy, voluntary non-remunerated blood donors.
4. Conducting relevant educational, training, development and clinical advisory services for health care professionals, staff and general public.
5. Striving to apply an effective program of quality assurance throughout all aspect of transfusion practice and its management.
6. Undertaking, commissioning or otherwise ensuring the provision of appropriate research and development.
7. Holding operating costs to a minimum consistent with high quality service and to ensure that revenues obtained from blood products are invested in maintaining WCBS as a viable organisation.
8. Providing encouragement, support and appropriate training to members of WCBS staff so they may play a meaningful role in achieving the Service's objectives.
9. Maintaining relevant national and international links in support of the above.

7) ORGANISATIONAL STRUCTURE OF THE WCBS



8) INFORMATION OFFICER AND DEPUTY INFORMATION OFFICERS AND CONTACT DETAILS

Information Officer

Name: Dr Gregory Bellairs
Postal Address: WCBS, P O Box 79, Howard Place, 7450
Physical Address: WCBS, Old Mill Road, Pinelands, Cape Town, 7405
Telephone Number: (021) 507 6300
Facsimile Number: (021) 531 4884
Email Address: paia@wcbs.org.za

Deputy Information Officers:

Corporate Services Director / Chief Financial Officer (CFO)
Head - Donation Testing
Head - IT
Head - Marketing and Public Relations
Head - Donor Division
Head - Blood Banks
Head - Quality Management System
Head - Human Resources

COMPLAINTS

Complaints not directed to the Information Officer or Deputy Information Officers can be directed to the Information Regulator of South Africa. The details are as follows:

The Information Regulator (South Africa)
PO Box 31533, Braamfontein, Johannesburg, 2017
Complaints email: complaints.IR@justice.gov.za
General enquiries email: infoereg@justice.gov.za

9) GUIDE TO THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION & PROTECTION OF PERSONAL INFORMATION ACT, 2013 (Act 4 of 2013)

The South African Human Rights Commission has published a guide in terms of Section 10 of the Act, which contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African Human Rights Commission
PAIA Unit, the Research and Documentation Department
Private Bag X2700
Houghton, 2041
Telephone number: (011) 484-8300
Facsimile Number: (011) 484-1360
Website: www.sahrc.org.za
Email Address: paia@sahrc.org.za

Information about the Protection of Personal Information Act, 2013 (Act 4 of 2013) is available as follows:

<https://www.justice.gov.za/infoereg/index.html>

Any enquiries about the Act can be directed as follows:

General enquiries email: infoereg@justice.gov.za

10) INFORMATION AVAILABLE WITHOUT A REQUEST

Information that is freely available to the public, whereby a requester can obtain such information about records without having to make a formal request in terms of the Act is the following:

- i) Annual financial report;
- ii) All documents or records lodged in terms of statutory requirements and various bodies, including the Registrar of Companies, and the Registrar of Deeds; and
- iii) Information brochures published by WCBS and that is made available to the public through its website or other printed media.

11) GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

WCBS may refuse a request on the following grounds:

- i) Mandatory protection of privacy of a third party who is a natural person;
- ii) Mandatory protection of the commercial information of a third party;
- iii) Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- iv) Mandatory protection of the safety of individuals and protection of property;
- v) Mandatory protection of the commercial activities of the WCBS;
- vi) Research information the WCBS or a third party, if its disclosure would disclose the identity of WCBS, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

vii) Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

12) CATEGORIES OF RECORDS HELD BY WCBS IN TERMS

12.1 Blood Procurement

- Donor self-exclusion questionnaire - contains relevant donor information and confidential questionnaire.
- Donor and donation record - contains relevant donor information and the numbers and frequency of donations.
- “Bleeding” sheet - contains donor’s name, identity criteria and blood group.
- Blood pack label - contains label attached to the blood pack that contains all relevant donor details, the place of donation and the date of expiry of the blood.
- “Down time” record - contains all relevant donor information for use in the event of the electronic information system being off-line.

12.2 Quality Management

- Document control records - contain information relating to the Quality Manual Policy documents, Procedure documents and Standard Operating Procedures.
- Records index - contains an index of current and archived records relating to the quality of product and services provided.
- Quality Control results - contains information relating to tests performed on products and reagents.
- Complaints and non-conformance reports - contains information regarding non-conformance and standards and records of corrective actions taken.
- Records of superseded procedures, manuals and publication

12.3 Research and development

- Study and research records - contains information on research protocols, approval certificates and data and study reports.

12.4 Information technology

- Blood bank module - an interactive information system that integrates blood donor, donated blood unit, testing and patient information.
- Laboratory modules - an interactive information system that contains all relevant laboratory data.
- Accounts receivable module contains interactive information system that stores and retrieves patient charge information.
- Databases containing information relating to the screening and blood grouping of donated blood.
- Data repository system - stores historical donated blood records and is used to determine trend analyses and blood donor profiling.
- Clocking system - controls and records information relating to employee working hours and movements.

12.5 Special investigations laboratory

Donor blood reaction forms records are kept which include the following details:

- All of the patient demographics;
- All of the tests that were performed with the patient and the donor units;
- A name of a contact at the hospital to which the report is to go;
- An antibody investigation form is kept which contains the donor's demographics and all the relevant serological tests for irregular blood groups antibodies with a conclusion attached.
- Antenatal records are kept of pregnant females, which include the patient's name and clinic demographics. It also contains the blood group, Rh type and irregular antibody tests.

12.6 Paternity laboratory

A record is kept of the names of parties presenting for a paternity investigation, this will include their own demographics as well as their racial group for demographic purposes. A paternity report which contains the names of the necessary parties plus all of the relevant tests that were performed as well as a conclusion to the outcome of the paternity investigation will be performed. It will also have a name of a contact court, attorney or relevant person.

12.7 Reagents laboratory

A record is kept of the production of every batch of reagents. This includes the type of reagent, batch number, expiry date and the validity of the reagent for the specified test.

12.8 Quality assurance laboratory

A record is kept of all standard operating procedures, which are used throughout the service. This will include all the relevant procedures by document. A record is kept of all tests performed related to quality throughout the WCBS. This will include the type of material and the test performed. A conclusion as to the validity of the reagent will be added to every report.

12.9 Components production laboratory

A label for the blood unit will be printed which contains all relevant details of the donor. A record is kept as to all of the various components that the unit of blood is divided into.

12.10 Incorporation documents

- The Memorandum of Incorporation of WCBS.
- The WCBS company registration forms and documents.

12.11 Constitution of the Company

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- Minutes of general meetings of the members of WCBS.
 - Register of directors of WCBS.
 - Power of attorney agreements and a list of persons authorised to bind WCBS.
 - Statutory register of WCBS.
 - License to practice as a blood transfusion service.

12.12 Financial records of WCBS

- Accounting records, books and documents, interim and annual financial reports of WCBS.
- Details of the financial auditors of WCBS.
- Auditor's reports in respect of audits conducted on WCBS.
- Tax returns of WCBS.
- Other financial records of WCBS.
- VAT, PAYE and UIF records.
- Documents relating to employee tax directives.

12.13 Human resources / employment records

- List of employees.
- Employee benefits.
- Other information relating to employees of WCBS.
- Personnel policies.

12.14 Medical Records

All other medical records not previously specified, kept for medico-legal reasons.

12.15 Correspondence

Correspondence with or without third parties.

12.16 Miscellaneous agreements of WCBS

- Agreements relating to trading activities of WCBS.
- Agency, supply and distribution agreements.

13) REQUEST PROCEDURE

13.1 Requester

There are two types of requester:

1. A personal requester is a requester who is seeking access to a record containing personal information about the requester. WCBS will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

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2. The requester (other than a personal requester) is entitled to information in third parties. However, WCBS is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record. The requester must complete the prescribed forms and make payment of a request fee and a deposit, if applicable. WCBS will process the request within 30 days. The requester shall be informed, in writing, whether access is granted or denied.

Any enquiries can be directed to paia@wcbs.org.za.

13.2 Forms be used when requesting information from WCBS

WCBS is both a private and public body as envisaged in terms of the Act. The following is a guideline to assist requestors in deciding which form is to be used when requesting information from WCBS in terms of this manual.

13.3 WCBS as a private body

WCBS is not limited to providing blood services and provides other medical services to the public or private sectors, these services are not within WCBS's function as contained above, such as:

- Employee related matters, for example, information requested for disciplinary hearings; and/or
- Service(s) performed by WCBS .

A requestor must use **FORM A** annexed hereto to request such information.

13.4 Request

A request for access to a record must be made on the prescribed form to the Information Officer or Deputy Information Officers as per the email address provided. The requester must provide sufficient detail on the request form to enable an official of WCBS to identify the record requested and the requester. When completing the request on the prescribed form, the requester should also indicate:

- The preferred language if applicable.
- Whether the requester wishes to be informed of the decision in another manner in addition to a written reply.
- A fax number and/or postal address. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer or Deputy Information Officer. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- The requester, if applicable, must pay the prescribed fee, before any further processing can take place.

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- The form must be adequately completed, with sufficient particulars so that the official of the WCBS can identify:
 - From where and from whom the request is made;
 - What record(s) are being requested; and
 - What the access fee will be should access be granted.

Requests can be submitted electronically, via fax or posted to WCBS.

14. FEES

The Act provides for two types of fees, namely:

1. A request fee, which will be a standard fee; and
2. An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

When the request is received by the Information Officer or Deputy Information Officers, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer or Deputy Information Officers shall notify the requester to pay as a deposit the prescribed portion of the Access Fee which would be payable if the request is granted. A requester, whose request for access to a record has been granted, must pay an excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer or Deputy Information Officers concerned must repay the deposit to the requester.

15. DECISION

WCBS will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons to that effect. The 30 day period with which the WCBS has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information or the request requires a search for information held at another office of the WCBS and the information cannot reasonably be obtained within the original 30 day period. WCBS will notify the requester in writing should an extension be sought.

16. REMEDIES AVAILABLE WHEN A REQUEST IS REFUSED

- **Internal Remedies**

The WCBS does not have internal appeal procedures, the Courts will have to be approached if the request for information is refused. This would apply to any situation in which the requester wishes to appeal a decision made by the Information Officer or Deputy Information Officers.

- **External Remedies**

A requestor that is dissatisfied with an Information Officer's or Deputy Information Officers' refusal to disclose information may within 30 days of notification of the decision apply to a Court for relief. Likewise, a third party dissatisfied with an Information Officer's or Deputy Information Officers' decision to grant a request for information, may within 30 days of notification of the decision apply to a Court for relief.

17. ARRANGEMENTS OR PROVISIONS FOR A PERSON BY CONSULTATION TO MAKE REPRESENTATIONS OR OTHERWISE TO PARTICIPATE IN OR INFLUENCE A FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY WCBS.

Members of the public who are blood donors influence the formulation of policies of WCBS through their elected representatives

18. RECORDS THAT CANNOT BE FOUND

If WCBS searches for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

19. INFORMATION AS MAY BE PRESCRIBED UNDER SECTION 14(1)(F)

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

20. INFORMATION REQUIRED IN TERMS OF SECTION 15(2)

The Minister of Justice and Constitutional Development has not published any regulations in this regard.

21. THE PRESCRIBED FORMS AND FEES

The prescribed forms and fees are available on the website of the Department of Justice and Constitutional Development at <https://www.justice.gov.za/paia/PAIA-brochure.pdf> under the regulations section.

FORM 2
REQUEST FOR ACCESS TO RECORD
 [Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

(Address)

E-mail address:

Fax number:

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE
 [Regulation 8]

Note:

1. If your request is granted the—
 - a) amount of the deposit, (if any), is payable before your request is processed; and
 - b) requested record/portion of the record will only be released once proof of full payment is received.
- 2) Please use the reference number hereunder in all future correspondence.

TO: _____

Reference number: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of information on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of information on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language: (<i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i>)	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

Yes

No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

 Information officer