



HURLYVALE PRIMARY SCHOOL

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Hurlyvale Primary School
Promotion of Access to Information Act (PAIA) Manual
Version 1.0
Date update: 19/07/2021

This manual was prepared in accordance with section 51 of the promotion of access to information act 2000 ("The Act") and to address requirements of the protection of personal information act, 2013 ("POPI")

This manual applies to Hurlyvale Primary School a public school in terms of the South African Schools Act 84 of 1996 (as amended)

Registered Address: 41 St. Andrews Road, Hurlyvale 1609

Table of Contents

1. Version control	2
2. Introduction	2
3. Nature of business	2
4. Guide of human rights commission / Information regulator	2
5. Access to records held by the school	3
6. Fees	4
7. Categories of records held by the School : section 51(1)(E) & processing of personal information	4
8. Remedies available if request for information is refused	12
9. List of applicable legislation	12
10. Availability of the manual	13
11. Approval	13
Appendix 1: Prescribed form C - To be completed by a requester	14



HURLYVALE PRIMARY SCHOOL

1. Version control

Version No	Change Date	Change Description
Version 1.0	19/07/2021	Document created

2. Introduction

The promotion of Access to Information Act, 2000 (the "Act") gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body or government is obliged to release such information unless the Act expressly states that the records containing such information may or may not be released. This manual informs requestors of procedural and other requirements which a request must meet as prescribed by the Act.

3. Nature of business

Hurlyvale Primary is a public primary school in terms of the South African Schools Act 84 of 1996 (as amended)

Contact Details:

Contact Details	
Name of School	Hurlyvale Primary School
Head of School	Mrs D Schoultz (Acting)
Information Officer	Mrs D Schoultz
Street address	41 St. Andrews Road, Hurlyvale 1609
Telephone Number	Tel: 011 453-8870/0919/0920
Email	mail@hvps.net
Website	http://HurlyvalePrimary.co.za/

4. Guide of human rights commission / Information regulator

A guide to the Act (as contemplated under section 10 of the Act) is available from the South African Human Rights Commission. The guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

Any enquiries regarding his guide and its contents should be directed to:



HURLYVALE PRIMARY SCHOOL

The South African Human Rights Commission:

PAIA Unit

Telephone: +27 11 877 3608

Website: www.sahrc.org.za

Dr. Shanelle Van Der Berg – svanderberg@sahrc.org.za

Tshepang Sebulela – tsebulela@sahrc.org.za

Alternatively, its successor,

The Information Regulator (South Africa)

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001 infoereg@justice.gov.za

5. Access to records held by the school

Records held by the school may be accessed on request only once the requirements for access have been met. A requester is any person making a request for access to a record of the School and in this regard, the Act distinguishes between two types of requesters:

Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, the School will 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 by the School.

Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, the School is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. The prescribed fee for reproduction of the information requested will be charged by the School.

Request Procedure

A requester must comply with all the procedural requirements contained in the Act relating to a request for access to a record. A requester must complete the prescribed form enclosed herewith in Appendix 1 and submit same as well as payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address or electronic mail address stated herein. The prescribed form must be filled in with enough details to at least enable the information officer to identify:

- The record or records requested;
- The identity of the requester;
- What form of access is required; and
- The postal address, fax or email address of the requester.

A requester must state that he or she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

The School will process a request within 30 days, unless the requestor has stated special reasons which would satisfy the information officer that circumstances dictate that this time period not be complied with.

The requester shall be informed in writing as to whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he or she must state the manner and the



HURLYVALE PRIMARY SCHOOL

particulars so required. If a request is made on behalf of another 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.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the information officer.

Decision

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

6. Fees

The Act provides for two types of fees:

A request fee, (which will be a standard fee) and an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs where applicable. When a request is received by the information officer of the School, the information 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 a search for the record is necessary 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 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.

The information officer shall withhold a record until the requester has paid the fee or fees as indicated. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in 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 shall repay the deposit to the requester.

7. Categories of records held by the School : section 51(1)(E) & processing of personal information

Purpose of Processing

The School uses the Personal Information under its care in the following ways:

- Rendering educational services
- Staff administration
- Keeping of accounts and records
- Complying with tax laws

Categories of Data Subjects and their Personal Information

The School may possess records relating to suppliers, SGB members, parents, learners and staff:



HURLYVALE PRIMARY SCHOOL

Entity Type	Personal Information Processed
<p style="text-align: center;">Learner's As Defined By The South African Schools Act No 84 Of 1996</p>	<ul style="list-style-type: none"> a. Learner's application for admission to a public school indicating the following personal information: <ul style="list-style-type: none"> i. Name and Surname of the learner. ii. ID number of the learner. iii. Date of Birth. iv. A personal identifier such as a learner's EMIS and/or where applicable a LSEN number allocated by the GDE and/or account Number. v. Gender. vi. Race. vii. Physical address and contact details. viii. Medical and health information and where necessary medical report from medical doctor/physician/specialist/psychologist. ix. If applicable, records regarding a learner's primary disability. x. Home Language. b. Certified copies of supporting documents as follows: <ul style="list-style-type: none"> i. Birth certificate; ii. ID documents; iii. Inoculation certificate; iv. Report cards from previous school; v. Study and asylum permits; vi. If applicable change of name/surname certificate and new ID details. c. Learner profiles and documents in profiles. d. Transfer Card (where applicable from previous school). e. Disciplinary hearing records. f. Debit record/Merit Record. g. Promotion and assessment records. h. Extra and Co-curricular records. i. Behavioural records. j. Photographs of learners k. Biometrics of learners. l. CCTV footage of learners. m. Documentation with additional information, such as custody orders or special education records. n. Consent forms from parents for learners to attend field trips/tours/participation in sport or cultural activities. o. Videos and voice recordings where applicable for processes such as disciplinary hearings or for use in psych-social support. p. State-administered assessment results, including participation information, courses taken and completed, credits earned, academic grades, and other transcript information. q. Grade level/Year and anticipated year of matriculating or completing schooling. r. Attendance record and transfer information between and within school districts/provinces.



HURLYVALE PRIMARY SCHOOL

Entity Type	Personal Information Processed
	<ul style="list-style-type: none"> s. Special education data/assessments. t. Schooling programme participation information required by the GDE/DBE or other government agencies.
<p style="text-align: center;">Parents As Defined By The South African Schools Act No 84 Of 1996</p>	<ul style="list-style-type: none"> a. Certified copies of ID documents of parents. b. Personal Information of parents: <ul style="list-style-type: none"> i. Full Name(s) and Surname. ii. Date(s) of birth and ID number(s) iii. Gender. iv. Race. v. Marital status. vi. Medical Aid. vii. Home and work physical and postal address viii. Landline and mobile telephone numbers. ix. Home and work email address (es). x. Profession and Employment details xi. Names of all the children in the family. xii. Home Language. a. Financial record of school fee account: <ul style="list-style-type: none"> i. Ledger account. ii. Statement of account. iii. Receipts. iv. Journal entries. v. Correspondence and documents. b. Application for exemption of school fees with the following supporting documents: <ul style="list-style-type: none"> i. Application form. ii. Proof of Income. iii. Bank Statements. iv. Other Financial documents proving income of parent. v. Documentation proving other children in the family. vi. Affidavits as needed. vii. Certified copies of court order letter from welfare agency/home if child is in care. c. Compensation of school fees. d. Correspondence with parents. e. CCTV footage of parents.
<p style="text-align: center;">Employees Employed By The School/Sgb</p>	<ul style="list-style-type: none"> a. Personal information of all employees <ul style="list-style-type: none"> i. Certified copies of ID documents. ii. Certified Copies of Diplomas/Degrees. iii. Personal contact details/e-mails/cell phone numbers. iv. Qualification certificates and certificates of workshops and training courses attended. v. Banking details. vi. Registration with statutory bodies SARS, UIF, Skills development, Workman's compensation. vii. Registration with SACE. viii. Curriculum Vitae. ix. References.



HURLYVALE PRIMARY SCHOOL

Entity Type	Personal Information Processed
	<ul style="list-style-type: none"> x. Job Description. xi. Performance appraisals. xii. Contract of employment. xiii. Attendance registers. xiv. Medical records/Medical Aid/Biometric Information. xv. Leave application forms. xvi. Payroll administration records. xvii. Correspondence and letters of delegation. xviii. Disciplinary hearings records and written warnings. xix. Police clearance certificate. xx. Certified copiers of Driver's license – Professional Driving permits. xxi. Photographs and copy of access card. xxii. Police Clearance Certificate. xxiii. Pay slip registers. xxiv. Leave application forms. xxv. Claims expenses from School. <ul style="list-style-type: none"> b. Personal Information of prospective employees: <ul style="list-style-type: none"> i. Interview scores. ii. CV and supporting documents. c. Personal information past employees: d. Documents as listed above in (a) not held on file longer than necessary. Correspondence with staff. e. CCTV footage of staff. f. Biometrics of staff
<p style="text-align: center;">Employees Employed By The State</p>	<ul style="list-style-type: none"> a. Personal information of all employees: <ul style="list-style-type: none"> i. Certified copies of ID documents. ii. PERSAL number. iii. Personal contact details/e-mails/cell phone numbers. iv. Certified Copies of Qualification certificates/Degrees. v. Salary scales. vi. Banking details. vii. Registration with SACE. viii. Curriculum Vitae. ix. References. x. Performance appraisals/IQMS. xi. Attendance registers. xii. Medical records/Medical Aid xiii. Leave application forms. xiv. Letters of Delegation. xv. Pay slips issued by District. xvi. Pay roll administration record. xvii. Correspondence. xviii. Disciplinary hearings xix. Police Clearance Certificate. xx. Copy of Access Card. b. Personal Information of prospective employees: <ul style="list-style-type: none"> i. Interview scores ii. CV and supporting documents iii. SGB recommendations.



HURLYVALE PRIMARY SCHOOL

Entity Type	Personal Information Processed
	<ul style="list-style-type: none"> c. Personal information past employees i. Documents as listed above in (a). d. Section 38 A SASA payments and claims expenses from School. e. Correspondence with staff. f. CCTV footage of staff. g. Biometrics of staff
<p>Learnerships/Students/Assistant Educators</p>	<ul style="list-style-type: none"> a. Personal information of all learnerships/students/assistant educators b. Certified Copies of ID documents. c. Temporary SACE Registration. d. Contact details/e-mails/cell phone numbers. e. Contract agreement. f. Performance appraisals. g. Banking details. h. Pay slips. i. Pay slip register. j. Correspondence. k. Registration with statutory bodies SARS, UIF, Skills development, Workman's compensation. l. Police Clearance Certificate. m. Leave Application Forms. n. Copy of Access Card. o. Claims expenses from School. p. Correspondence with staff. q. CCTV footage of staff. r. Biometrics of staff
<p>Temporary Staff – Coaches, Educators, Invigilators, Administrators, Students, Assistant Educators</p>	<ul style="list-style-type: none"> a. Personal information. b. Certified Copies of ID documents. c. CV and references. d. Contact details/ e-mails/cell phone numbers. e. Contract agreement. f. Banking details. g. Payroll records – Payslips. h. Correspondence. i. Police Clearance Certificate. j. Claims expenses from School. k. Correspondence with staff. l. CCTV footage of staff. m. Biometrics of staff



HURLYVALE PRIMARY SCHOOL

Entity Type	Personal Information Processed
<p>Suppliers/Agents/Contractors And Other Persons (“Suppliers”)</p>	<ul style="list-style-type: none"> a. Personal information of all suppliers. b. Financial records of all suppliers account. c. Contract agreements with all suppliers. d. Correspondence with all suppliers. e. Tender documents. f. E-mails and Cell phone and landline numbers of individual representatives of suppliers. g. Rental agreements such as office equipment. h. Non-disclosure agreements. i. Letters of intent (where applicable). j. Outsourcing agreements (where applicable).
<p>School Governing Body And Sgb Committees</p>	<ul style="list-style-type: none"> a. Personal information of all SGB members. b. Contact details/e-mails/cell phone numbers and land line numbers. c. Constitution of the SGB. d. Budgetary Information. e. Annual report to Parents’ Budget meeting, minutes, attendance records and agendas. f. Code of conduct of SGB. g. Correspondence – general and specific. h. Minutes of all meetings. i. Agendas of Meetings. j. Attendance Registers. k. School Policies and Guidelines. l. Strategic Planning documents.
<p>Tenants</p>	<ul style="list-style-type: none"> a. Personal Information details. b. Lease agreements. c. Correspondence. d. Contract agreements with tenants. e. Cell phone numbers/Landlines. f. Payment account details.
<p>National Government Departments, The Department Of Basic Education And The Gauteng Department Of Education</p>	<ul style="list-style-type: none"> a. Legislation - Acts, Regulations. b. Circulars and Memos. c. Guidelines. d. Standard Operating Procedures. e. Policies. f. Curriculum assessment documents. g. Minutes of District and Circuit meetings, agendas and presentations. h. Whole school evaluation records. i. Post establishment records. j. Norms and Standards Allocation records. k. Compensation for school fee exemption records. l. Snap survey records. m. Annual/ Quarterly/Monthly/weekly returns of statistics and data and audited financial reports. n. Section 38A applications.



HURLYVALE PRIMARY SCHOOL

Entity Type	Personal Information Processed
	<ul style="list-style-type: none"> o. Approval application to open an Investment account. p. Approval to obtain loan, extend, lease etc. q. Correspondence hard copy and electronic messages.
<p align="center">Past Learners/Alumni</p>	<ul style="list-style-type: none"> a. Personal Information details. b. Contact details. c. Correspondence/newsletters/invitations to school functions. d. "Ed Labs" and personal profiles not requested by new school or after leaving school. e. Copies of Transfer Cards. f. Last record of attendance/report cards.
<p align="center">Sponsors/Donors/Supporters</p>	<ul style="list-style-type: none"> a. Personal Information details. b. Contact details. c. Receipts – 18A. d. Donation Register. e. Correspondence.
<p align="center">Advertisers</p>	<ul style="list-style-type: none"> a. Personal Information details. b. Invoices of payments. c. Contact details. d. Details of adverts. e. Correspondence.
<p align="center">Sporting Bodies/Affiliations/Cultural Bodies</p>	<ul style="list-style-type: none"> a. Personal Information details. b. Contact details. c. Subscriptions. d. Correspondence. e. Sporting Codes and rules. f. Agendas and Minutes. g. Financial Transactions/receipts.
<p align="center">Academic Authorities/Associations - Saqa, Umalusi, Sace, Ieb</p>	<ul style="list-style-type: none"> a. Personal Information details. b. Contact details. c. Subscriptions. d. Correspondence. e. Registration lists of names and numbers.
<p align="center">SGB Associations - Fedas, Gbf</p>	<ul style="list-style-type: none"> a. Personal Information details. b. Contact details. c. Newsletters. d. Subscriptions. e. Correspondence.
<p align="center">Unions - Naptosa, Saou, Psa, Sadtu And Others</p>	<ul style="list-style-type: none"> a. Personal Information details. b. Contact details. c. Subscriptions. d. Correspondence. e. Case records.



HURLYVALE PRIMARY SCHOOL

Entity Type	Personal Information Processed
Statutory Bodies - Sars – Department Of Labour- Setas	a. Personal Information details. b. Contact details. c. Statutory returns. d. Payment records. e. Correspondence. f. IRP 5s and other documents.
School Auditors	a. Personal Information details. b. Letter of appointment from the SGB. c. Contact details. d. Certificates of their registration with an authorising body/bodies/SAIPA. e. Signed off Audit reports. f. Contract of service. g. Statement of account. h. Financial statements. i. Correspondence. j. Internal Auditors records and reports.
Insurance Houses	a. Personal Information details. b. Contact details of Representative/Broker. c. Insurance agreement(s)/contracts. d. Claim form. e. Proof of payments. f. Proof of claims paid out. g. Correspondence
Banking Institutions	a. Personal Information details. b. Correspondence who has signing authority/EFT authority. c. Contact details of Banking Representative. d. Record of accounts kept at the institution. e. Correspondence. f. Monthly banking transactions records/statements. g. Cheque books. h. Cancelled Cheques. i. Print outs from computer re payments and transactions
Attorneys / Debt Collectors /Legal Counsel	a. Personal Information details. b. Contact details. c. Records of case referred to them. d. Contract entered into with 3 rd party. e. Their account and payments. f. Correspondence and records. g. Other documents.

Categories of Recipients For Processing the Personal Information

The School may supply the Personal Information to service providers who render the following services:

- Capturing and organising of data;
- Storing of data;



HURLYVALE PRIMARY SCHOOL

- Sending of emails and other correspondence to clients
- Conducting due diligence checks;

Actual or Planned Transborder Flows of Personal Information

The School may transfer data trans-border in order to store data with third party cloud storage providers.

General Description of Information Security Measures

The School employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include:

- Firewalls
- Virus protection software and update protocols
- Logical and physical access control;
- Secure setup of hardware and software making up the IT infrastructure;
- Outsourced Service Providers who process Personal Information on behalf of the School are contracted to implement security controls.

8. Remedies available if request for information is refused

Internal Remedies

The School does not have internal appeal procedures. As such, the decision made by the information officer pertaining to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the information officer.

External Remedies

A requestor that is dissatisfied with the information officer's 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 the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court for relief. For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

9. List of applicable legislation

Records of the School's and other legal entities in which the School has a direct controlling interest or an indirect controlling interest through its subsidiaries may be kept by or on behalf of the School in accordance with the following legislation (some of which legislation may not be applicable to the School), as well as with other legislation that may apply to the School and/or its subsidiaries from time to time:

- the Basic Conditions of Employment Act 75 of 1997(BCEA),
- the Labour Relations Act
- the Skills Development Act, 97 of 1998(SDA),
- Skills Development Levies Act, 9 of 1999 (SDLA)
- the Employment Equity Act, 55 of 1998
- The Employment of Educators Act
- The Unemployment Insurance Contributions Act, 4 of 2002 (UICA) Unemployment Insurance Act, 6 of 2001 (UIF),
- Financial Advisory And Intermediary Services Act, 37 of 2002 (FAIS), the Financial Intelligence Centre Act 38 of 2001 (FICA),
- the National Credit Act, 34 of 2005 (NCA)
- the Compensation for Occupational Injuries and Diseases Act, 130 of 1993,
- Children's Act



HURLYVALE PRIMARY SCHOOL

- The Disaster Management Act and all related regulations with regard to COVID-19;
- The Occupational Health and Safety Act
- National Education Policy Act, 1996 (Act No. 27 of 1996), as amended
- Criminal Law (Sexual Offences and Related Matters) Amendment Act (Act no 32 of 2007)
- The Control of Access to Public Premises and Vehicles Act 1985 (Act No. 53 of 1985), including regulations made under it (“the Public Premises Act”)
- Regulations for Misconduct of Learners at Public Schools and Disciplinary Proceedings, 2001 (General Notice 2591 of 2001).
- Drugs and Drugs Trafficking Act (Act 140 of 1992)
- Child Justice Act 75 of 2008.
- Medicines and Related Substances Act No 101 of 1965, As Amended.
- Regulations for Safety Measures at Public Schools Government Notice No. 1040, October 2001, as amended.
- Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners, General Notice 776 of 1998.
- Regulations to Prohibit Initiation Practices in Schools, GN No. 1589, 13 December 2002
- the Schools Act, Act 84 of 1996, as amended and any related regulations and/or provincial legislation and/or related regulations and/or policies and policies of the school.

10. Availability of the manual

The manual is available for inspection, on reasonable prior notice, at the office of the School free of charge.

11. Approval

ASSENTED TO ON BEHALF OF THE SCHOOL ON THIS 30th June 2021.



HURLYVALE PRIMARY SCHOOL

Appendix 1: Prescribed form C - To be completed by a requester

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 10]

A. Particulars of private body

The head :

B: Particular of person requesting access to the record

The particulars of the person who requests access to the record must be given below.
The address and/or fax number in the Republic to which the information is to be sent must be given.
Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Identity number:

Postal Address:

Telephone number:

Fax number:

Email address:

Capacity in which request is made, when made on behalf of another person:

C: Particulars of person on whose behalf request is made

This section must be completed *ONLY* if a request for information is made on behalf of another person



HURLYVALE PRIMARY SCHOOL

Full names and surname:

Identity number:

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 folio and attach it to this form. The requester must sign all the additional folios.

1 Description of record or relevant part of the record:

2 Reference number, if available:

3 Any further particulars of record:

D. Fees

A request for access to a record, other *than* a record containing personal information about yourself, will be processed only after a request fee has been paid.
You will be *notified* of the amount required to be paid as the request fee.
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.
If you qualify for exemption *of* the payment *of* any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

E. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required

Disability:	Form in which record is required:
<p>Mark the appropriate box with an X.</p> <p>Notes:</p> <ul style="list-style-type: none"> a) Compliance with your request in the specified form may depend on the form in which the record is available. b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested. 	



HURLYVALE PRIMARY SCHOOL

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1. If the record is in written or printed form:					
	Copy of record		Inspection of record		
2. If record consists of visual images, this includes photographs, slides, video recordings, computer-generated images, sketches, etc					
	View images		Copy of images		Transcription of images
3. If record consists of recorded words or information which can be reproduced					
	Listen to the audio file			Transcription of the audio file	
4. If record is held on computer or in an electronic or machine-readable form:					
	Print copy of record		Print copy of information derived from the record		Copy in computer readable form (flash drive or removable media)
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?				YES	NO
Postage is payable.					

F. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise of protection of the right:

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.
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HURLYVALE PRIMARY SCHOOL

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at..... This..... day of20.....

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE