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## ACCESS TO INFORMATION MANUAL

held by

**COGNADEV**

Compiled in terms of Section 14 of the Promotion of Access to Information Act, No 2 of 2000 (as amended) and the Protection of Personal Information Act No 4 of 2013 (as amended).

Director: SM Prinsloo

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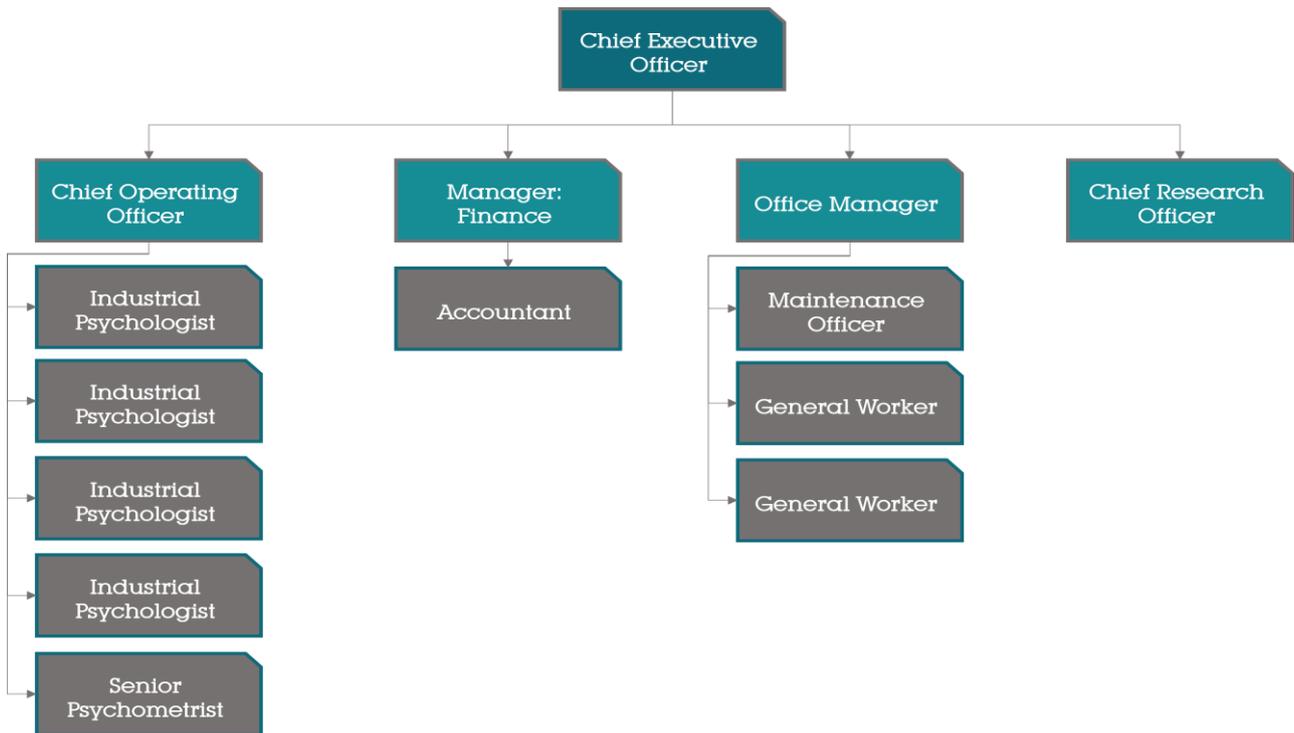
## 1. INTRODUCTION

- 1.1. Cognadev has compiled this manual in terms of the Promotion of Access to Information Act, No 2 of 2000 (hereinafter referred to as “the Act”) and the Protection of Personal Information Act No 4 of 2013 (hereinafter referred to as “POPIA”).
- 1.2. The Act gives effect to the constitutional right of access to information contained in section 32 of the Constitution of the Republic of South Africa.
- 1.3. In terms of the Act, public and private bodies are required to compile a manual as a guide to requesters of information. This manual further serves to indicate the categories of records held by Cognadev, and the availability of such records from Cognadev, as a private body.

## 2. COGNADEV'S BUSINESS

- 2.1. Cognadev was founded in 1994 to address an expressed need in the market for a fair and valid way to assess the psychological functioning and cognitive potential of individuals (adults) within the work and tertiary educational contexts.
- 2.2. Cognadev provides a broad spectrum of Human Capital solutions. Although our assessment and people development offerings are our biggest revenue generators, we assist organisations to leverage their people performance through valid and reliable data. Our offerings are digitised to provide clients with the capability of self-service, while our consultants provide key account and product advisory services.
- 2.3. Cognadev aims to lead the field in developing and providing innovative and sophisticated psychological assessment and development methodologies to empower Human Capital professionals, consultants, and individuals in the work environment to understand and optimise talent through using their tools in the following areas:
  - 2.3.1. Assessments: Innovative, valid, online systems measuring psychological constructs such as cognition, values, consciousness / awareness, motivation, personality, and job-related competencies. Cognadev’s online assessments are automated and used for purposes of recruitment, selection, people development, succession, team building, organisational development, and company audits of potential and values.
  - 2.3.2. Development: Training for individuals and teams to facilitate the development of cognitive, emotional, and contextual awareness and energy.
  - 2.3.3. Training: We provide product - related training for HR practitioners and professional users. Introducing professionals to powerful theoretical models to optimise their understanding of psychology and the impact of people on business.
  - 2.3.4. Consulting: We leverage assessment and development solutions to actualise human and organisational potential.

### 3. COGNADEV STRUCTURE



### 4. INFORMATION OFFICER FOR COGNADEV

- 4.1. The Chief Executive Officer of Cognadev, Dr Teresa Kruger, is the designated Information Officer for Cognadev. The contact details are outlined below:

Name	Contact Number	E-Mail Address
Dr Teresa Kruger	+27 11 884 0878	tkruger@cognadev.com

- 4.2. The Information Officer has, in terms of Section 17 of the Act, delegated her powers under PAIA, and in terms of Section 56 of POPIA, to the following Deputy Information Officer:

Name	Contact Number	E-Mail Address
Ms Elmien Toerien	+27 11 884 0878	info@cognadev.com

- 4.3. The Information Officer and Deputy Information Officer share the same physical and postal address as below:

Physical Address	Postal Address
18B Balmoral Avenue Hurlingham 2196 Sandton South Africa	P.O Box 3429 Northcliff 2105 Johannesburg South Africa

- 4.4. The Cognadev website is [www.cognadev.com](http://www.cognadev.com)

- 4.5. Requests for information and access to records not readily available, may be made by contacting the Deputy Information Officer.

## 5. PROCESSING OF PERSONAL INFORMATION

- 5.1. Cognadev must collect and use information, including personal information as defined in POPIA, to the extent that it is necessary to perform functions, obligations and duties as defined in Section 2.

- 5.2. Personal records and information held by Cognadev are generated through the administration of its core functions, which include assessment administration, feedback, and training. These records include:

- 5.2.1. Personal Information:

- Name
- Surname
- E-Mail Address
- Contact Number
- Identification/Passport Number
- IP Address
- Date of Birth
- Gender

- 5.2.2. Country of Birth (Optional to Complete)

- Region
- Ethnicity

- 5.2.3. Education and Employment (Optional to Complete)

- Current Employer
- Current Job Title
- Highest Level of Education
- Discipline of Qualification
- Functional Area

- 5.3. The following personal data is processed using software, processing of personal data through the use of new technologies, automated processing of personal data, and tracking of individual location:

- 5.3.1. Processing of data through the use of software.

- 5.3.2. Automated processing of personal data.

- 5.3.3. Tracking of the IP address for the purpose of billing.

- 5.4. Personal information is only disclosed if we have a legal obligation to do so, if there is a public duty to disclose such information, if the legitimate interest of the data subject necessitates such disclosure, or if consent was provided by the data subject to disclose information.

- 5.5. The recipients of information include Cognadev's ICT Service Providers and originating clients that request assessment on candidates for the purpose of talent acquisition or development.

- 5.6. Personal information may be processed in other jurisdictions outside of South Africa for business purposes.
- 5.7. Where appropriate, we request the third parties with whom we share information with, to take adequate measures and comply with applicable data protection laws and security measures regarding the disclosed information. We do this through contractual arrangements with the respective third parties.
- 5.8. We further take care in the appointment of third parties, to ensure that such parties have adequate data protection measures and protocols.
- 5.9. Cognadev employs security measures that are designed to maintain confidentiality, prevent data loss and unauthorised access and damage to information.
- 5.10. Data subjects have the following recourse where there is a breach of the protection of personal information by Cognadev:
  - 5.10.1. Lodge a complaint with Cognadev's Information Officer, and where unsatisfied, lodge a complaint with the information regulator in the prescribed manner and form.
  - 5.10.2. Institute civil damages in a court that has appropriate jurisdiction.

## 6. HOW INFORMATION HELD BY COGNADEV IS USED

- 6.1. Personal data is used for the following purposes:
  - 6.1.1. Conducting psychometric assessments for the purpose of talent acquisition and development.
  - 6.1.2. Generating individual reports.
  - 6.1.3. Providing feedback to individuals for the purpose of development.
  - 6.1.4. Providing reports and feedback to the client of origin.
  - 6.1.5. Anonymous research for the purpose of validation studies, special case studies, and knowledge augmentation.
- 6.2. In terms of Section 52 of the Act, Cognadev voluntarily discloses categories of information in its possession that are available to the public without the need to request this information in terms of the Act. This need not be requested in terms of the Act and the procedure and requirements set out in section 7 below need not be followed. This may be requested directly from Cognadev by emailing [info@cognadev.com](mailto:info@cognadev.com). This information includes:
  - 6.2.1. Health Professions Council Registration of products
  - 6.2.2. Metric Properties of Products
  - 6.2.3. Adverts in respect of vacancies
  - 6.2.4. Publications and articles
- 6.3. Access to records not listed in 6.2, must be applied for in terms of the Act and can be requested by sending a request to the e-mail address [info@cognadev.com](mailto:info@cognadev.com).

## 7. PAIA REQUEST PROCEDURE

- 7.1. A request for information must be made in writing on the prescribed Form A, which is attached to this manual as Annexure A.
- 7.2. The request form must be addressed to the Deputy Information Officer and actually delivered to the Deputy Information Officer using the contact details set out in Section 4.
- 7.3. The request must contain the name and contact details of the requester and it must provide sufficient details and mitigation to enable Cognadev to identify the record requested.
- 7.4. Where the request is made on behalf of another person, the requester must submit proof in the form of an affidavit or letter of consent, of the capacity in which the requester is making the request to the satisfaction of the Information Officer.
- 7.5. In the event that the requester has requested information which does not amount to information pertaining to itself exclusively, a request fee is payable for a PAIA request and proof of such payment must be submitted to the Deputy Information Officer, together with the request. Once Cognadev has decided to grant the requested access to information, access fees may be invoked by Cognadev.
- 7.6. The request fee is aligned to the Regulations published in terms of the PAIA Act.
- 7.7. Bank deposit is the only accepted payment method for PAIA requests, using the following Cognadev banking details:

Banking Details	
Bank	Nedbank
Account Name	Cognadev (Pty) Ltd
Account Number	1979342326
Branch Name	Fox Street Johannesburg
Branch Code	198765
Reference	PAIA Request_Name of Requester

- 7.8. A request is only received once a completed form and the prescribed request fee have been received by the Deputy Information Officer.
- 7.9. Upon receipt of the PAIA request, Cognadev shall endeavor to consider and provide a response to each request within the prescribed thirty (30) days. In specific circumstances, Cognadev may extend the period of thirty (30) days for a further period of thirty (30) days in order to finalise requests as per section 57 of the Act.

## 8. REQUEST CONSIDERATIONS

- 8.1. Requests for records for the purpose of criminal or civil proceedings are dealt with in terms of Section 7 of the Act. Section 7 (1) provides as follows: *the Act does not apply to a record of a public or private body if:*
  - 8.1.1. *The record is requested for the purpose of criminal or civil proceedings;*
  - 8.1.2. *So requested after the commencement of such criminal or civil proceedings, as the case may be;*

8.1.3. *The production of or access to that record for the purpose referred to in 8.1.1 above is provided by law.*

8.2. If Section 7 (1) applies to a request, the requester must use the rules and procedures for discovery of information related to the particular legal proceedings.

8.3. Cognadev may refuse access where requests are clearly frivolous and/or vexatious.

## 9. REQUEST DECISIONS

9.1. As prescribed in Section 56 of the Act, the Information Officer shall decide whether to grant the requested access to information and inform the requester accordingly. The requester shall be notified of the decision in the most expedient manner possible.

9.2. Should the request for information be refused by the Information Officer, the requester shall be provided with written reasons for such refusal if the requester has elected to be informed of the decision.

## 10. RIGHT TO REQUEST DECISION APPEAL

10.1. Cognadev is not a public body referred to in paragraph (a) of the definition of *public body* in Section 1 of the Act. Therefore, no internal appeal lies against the decision of the Information Officer regarding the access to information.

10.2. Should a requester not agree with the decision, the requester may apply, within 180 days of being advised of the decision by the Information Officer to the High Court or any other Court having jurisdiction, for an appropriate order.

10.3. As per the Act, the requester may further seek relief from any court with appropriate jurisdiction in respect of the following decisions of the Information Officer:

10.3.1. The amount of fees required to be paid; and/or

10.3.2. The extension of the period in which the information will be provided.

## 11. AVAILABILITY OF THE MANUAL

11.1. This manual has been drafted in an effort to show Cognadev's commitment to comply with the required laws and regulations of the Republic of South Africa.

11.2. The manual is available in English on the Cognadev website.

## 12. UPDATING THE MANUAL

12.1. The manual will be reviewed and updated no less than once each year.