

**MANUAL OF THE SOUTH AFRICAN NATIONAL BLOOD SERVICE
(ASSOCIATION INCORPORATED UNDER SECTION 21)
(Registration number 2000/026390/08)**

**Prepared in accordance with Section 14 of the Promotion of
Access to Information Act No 2 of 2000. (Public Body) Last Updated: 28 February
2003**

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 fulfill this constitutional obligation, the Promotion of Access to information Act No. 2 of 2000 ("**the Act**") was assented to by Parliament.

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.

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:

- Limitation aimed at the reasonable protection of privacy;
 - Commercial confidentiality; and
 - Effective, efficient and good governance;
- and in 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 South African National Blood Service (**Association incorporated under Section 21**) ("**the SANBS**") and its regional units.

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

The SANBS 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 that purpose. All users of any such information shall use such information entirely at their own risk, and the SANBS 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 the SANBS 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 the SANBS.

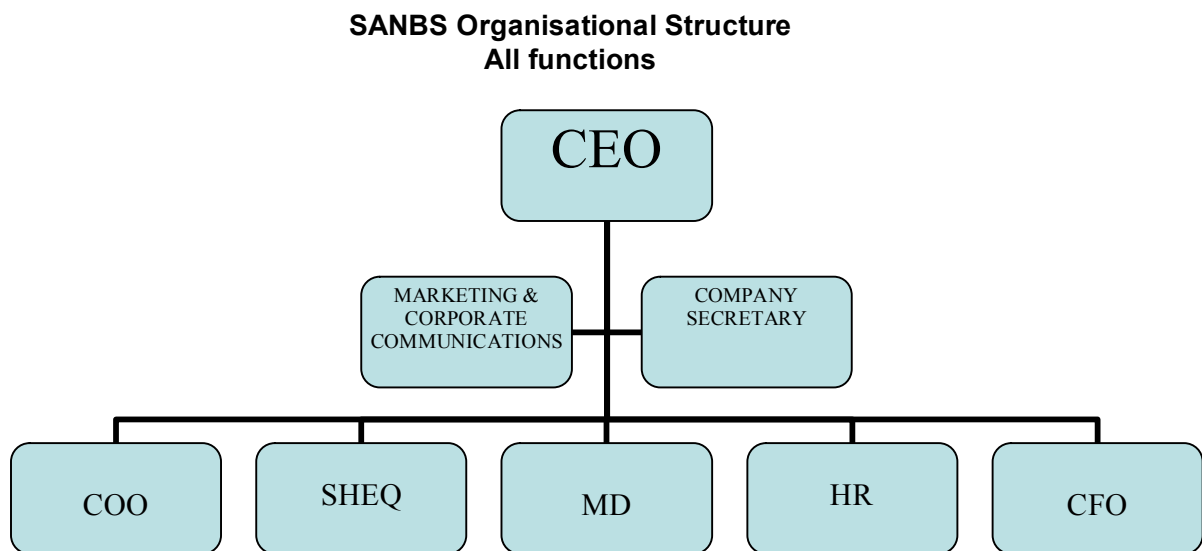
3 BACKGROUND INFORMATION ON THE SANBS

The SANBS is an association incorporated under Section 21 of the Companies Act No. 61 of 1973, 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.

4 THE FUNCTIONS OF THE SANBS

The functions of the SANBS are to provide patients with all products and services related to the practice of blood transfusion medicine in South Africa.

5 ORGANISATIONAL STRUCTURE OF THE SANBS



CEO = Chief Executive Officer
COO = Chief Operations Officer
SHEQ = Safety Health Environment Quality
MD = Medical Director
HR = Human Resources
CFO = Chief Financial Officer

6 THE GOVERNANCE STRUCTURE OF THE SANBS

The SANBS consists of a national office, which is situated at Constantia Kloof, Roodepoort.
The SANBS has two regional boards, the Inland Region and the East Coast Region.

Operational:

The SANBS is divided into seven operational zones providing medical, donor and technical services:

- Egoli (Constantia Kloof)
- Vaal (Vereniging)
- Free State (Bloemfontein)
- Eastern Cape (Cape Town)
- KZN (Pinetown)
- Mpumalanga (Middelburg)
- Northern (Pretoria)

The Inland Region operates in the following provinces:

- Free State Province;
- Gauteng Province;
- Mpumalanga Province;
- Northern Cape Province;
- Limpopo Province; and
- North West Province.

The Eastern Coast Region operates in the following provinces:

- Kwa Zulu Natal Province;
- Eastern Cape Province;

PART I

7 CONTACT DETAILS

INFORMATION OFFICER:

- **Name:** Dr Loyiso Mpuntsha
- **Postal address:** SANBS, Private Bag X 14, Weltevreden Park, 1715;
- **Telephone numbers:** (011) 761 – 9000;
- **Facsimile number:** (011) 761 – 9113;
- **E-mail:** Loyiso.Mpuntsha@sanbs.org.za

DEPUTY INFORMATION OFFICER

- **Name:** Mr. John Richard Cotterell
- **Postal address:** SANBS, Private Bag X 14, Weltevreden Park, 1715;
- **Telephone number:** (011) 761 9000;
- **Facsimile number:** (011) 761 – 9113;
- **E-mail:** John.Cotterell@sanbs.org.za

8 GENERAL INFORMATION

- **Name of Public Body:** South African National Blood Service.
- **Postal Address:** SANBS, Private Bag X14, Weltevreden Park, 1715.
- **Physical Address:** No 2, Constantia Blvd, Constantia Park, Constantia Kloof X22, 1709
- **Telephone number:** (011) 761 9000.
- **Facsimile number:** (011) 761 9113.

PART II

9 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The guide contemplated in Section 10 of the Act has at the time of publication not yet been compiled by the South African Human Rights Commission. The guide shall contain 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, at PIAI 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, E-mail Address: PIAI@sahrc.org.za.**

PART III

10 INFORMATION AVAILABLE IN TERMS OF SECTION 15 OF THE ACT

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:

- Annual financial report;
- Information brochures relating to:
 - “Safe Blood starts with Me” – A blood safety brochure;
 - “O is for Outstanding” – Blood group information;
 - “Club 25” brochure – Young blood donor information;
 - “Full steam through the blood stream” – A guide to blood;
 - “6X Plasma Programme” – A guide for potential plasma donors; and
 - “My hemoglobin level is too low!” – A guide to an iron-rich diet.
- SANBS newsletters:
 - “The Silent Hero” – A blood donor information newsletter;
 - “Cycle Tour newsletter” – A campaign newsletter;
 - “Club 25 News” – A newsletter aimed at young blood donors;
 - “Life Prints” – Information brochure relating to patients who have benefited from a blood transfusion.

PART IV

11 DESCRIPTION OF THE SUBJECT AND CATEGORIES OF RECORDS OF THE SANBS:

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.

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 nonconformance to standards and records of corrective actions taken.
- Records of superseded procedures, manuals and publications.

Research and development

- Study and research records – contains information on research protocols, approval certificates data and study reports.
- Manufacturing documentation – contains information relating to growth factor production.
- Chronic wound treatment records – contains information and photographic records of treatment process.

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.

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 hospital where the report has to go to.
- 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.

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.

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.

Tissue immunology

A record of all HLA typing performed is kept, this will include the patient or donor demographics. It will also include the Histocompatibility type of the person.

A record is kept of bone marrow donors where the HLA type and relevant details of the donor will be kept.

Quality assurance laboratory

A record is kept of all standard operating procedures, which are used throughout the service. This will include all of the relevant procedures by document.

A record is kept of all tests performed related to quality throughout the Inland Region. 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.

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.

Incorporation documents

- The memorandum of association of SANBS.
- The articles of association of SANBS.
- The SANBS Company registration forms.

Constitution of the company

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

Financial records of the SANBS

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

Human resources / employment records

- List of employees.
- Employee benefits.
- Other information relating to employees of SANBS

Medical records

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

Correspondence

Correspondence with or without third parties.

Miscellaneous agreements of SANBS

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

PART V

12 SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC AND HOW TO GAIN ACCESS TO THOSE SERVICES

- The SANBS educates the health care providers and patients on the appropriate use of blood products by promoting alternatives to homologous blood.
- The SANBS also ensures that the standards and scope of the national blood transfusion service is appropriate and satisfies the requirements of health care providers, patients and blood donors.
- The abovementioned services are available at the offices of the SANBS through SANBS regional units.

13 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 THE SANBS

Members of the public who are blood donors influence the formulation of policies of the SANBS through their elected representatives at the board of directors meetings. The Minister of Health also appoints a representative to the board of directors.

14 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the SANBS to refuse a request for information relates to the –

- mandatory protection of privacy of a third party who is a natural person;
- mandatory protection of the commercial information of a third party;
- mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- mandatory protection of the safety of individuals and protection of property;
- mandatory protection of the commercial activities of the SANBS;
- research information the SANBS or a third party, if its disclosure would disclose the identity of SANBS, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

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

15 REMEDIES AVAILABLE WHEN THE SANBS REFUSE A REQUEST FOR INFORMATION

Internal Remedies

The SANBS 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.

External Remedies

A requestor that is dissatisfied with an 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 an 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, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

16 REQUEST PROCEDURE

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 as well as payment of a request fee and a deposit, if applicable.

The SANBS will process the request within 30 days. The requester shall be informed whether access granted or denied. The requester requires the information in order to exercise or protect a right.

17 ACCESS TO RECORDS HELD BY THE SANBS

Records held by the SANBS may be accessed by requests only once the prerequisite requirements for access have been met. A requester is any person making a request for access to a record of the SANBS. There are two types of requester:

18 REQUESTER

A personal requester is a requester who is seeking access to a record containing personal information about the requester.

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

19 REQUEST

A request for access to a record must be made on the prescribed form to the Information Officer at his/her address, fax number or e-mail address in terms of Section 18 of the Act. The requester must provide sufficient detail on the request form to enable an official of the SANBS to identify the record requested and the requester. When completing a 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; and
- 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. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. A request must be directed to the Chief Executive Officer, the Head of the SANBS, or any authorized persons. The prescribed form must be sent to the SANBS via mail, fax or may be provided to the requester by the SANBS.

The requester must pay the prescribed fee, before any further processing can take place. The form must be adequately completed, with sufficient particulars so that the official of the SANBS can identify:

- From where and from whom the request is made;
- What record(s) are being requested;
- What the access fee will be should access be granted.

20 FEES

The Act provides for two types of fees, namely:

- 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.

When the request is received by the Information Officer, 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 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 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 concerned must repay the deposit to the requester.

21 DECISION

The SANBS 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 SANBS 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 number of information, or the request requires a search for information held at another office of the SANBS and the information cannot reasonably be obtained within the original 30 day period. The SANBS will notify the requester in writing should an extension be sought.

22 AVAILABILITY OF THE MANUAL

This manual is made available in terms of Regulation Number R. 187 of 15 February 2002. The manual is available on the website of the SANBS. The manual is also available at the South African Human Rights Commission and shall be published in three of the official languages in the Government Gazette.

23 RECORDS THAT CANNOT BE FOUND

If the SANBS 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.

24 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.

25 INFORMATION REQUIRED IN TERMS OF SECTION 15 (2)

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

25 THE PRESCRIBED FORMS AND FEES

The prescribed forms and fees are available on the website of the Department of Justice and Constitutional Development at www.doj.gov.za, under the regulations section.