



**AIDS law  
project**

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Braamfontein 2017

6th floor, Unit 6/002,  
Braamfontein Centre  
23 Jorissen Street,  
Braamfontein

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12 March 2010

Mr Paddy Attwell  
Information Officer: WCED  
Private Bag X9114  
CAPE TOWN  
8000

**Per fax: (021) 461 3694**

**And per email: [pattwell@pgwc.gov.za](mailto:pattwell@pgwc.gov.za)**

Dear Mr Attwell,

**REQUEST FOR ACCESS TO THE DISAGGREGATED LITERACY AND  
NUMERACY TESTING DONE IN THE WESTERN CAPE: REQUESTED IN TERMS  
OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000**

1. We act on behalf of Equal Education (EE). EE is a movement of learners, parents, teachers and community members working for quality and equality in South African education through analysis and activism. Its head office is in Khayelitsha, Western Cape.
2. On 5 March 2010 our client instructed us to file an application for access to information in terms of the Promotion of Access to Information Act, 2000 (PAIA) under reference number **20100311-0029**.
3. Subsequent to the filing of the above request, our client realised that the information requested was not sufficient and accordingly instructed us to abandon the initial application and file a new application, as we hereby do, so as to consolidate all its requests for related information to the Western Cape Education Department (WCED).

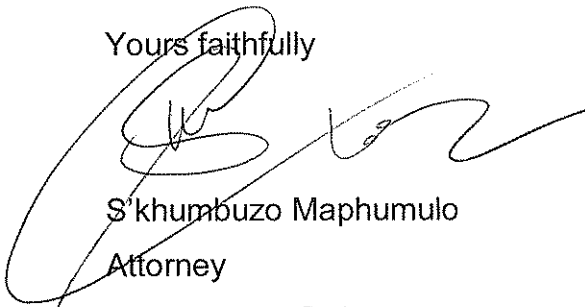
**Board of Directors:** Ms V. Dubula (Chairperson), Justice J. Kriegler (Deputy Chairperson), Mr N. Ndlovu (Treasurer), Prof. Q. Abdool-Karim, Dr B. Brink, Prof. S. Fonn (ex-officio), Mr M. Heywood (Executive Director), Prof M Pieterse (ex-officio), Ms T. Steele

AIDS Law Project, a section 21 company (2006/021659/08) and a registered law clinic,  
is formally associated with the School of Law at the University of the Witwatersrand, Johannesburg.

Income Tax Exemption Reference Number: PBO 930022549  
Nonprofit Organisation Registration Number: 055-382-NPO

4. In the circumstances, our client wishes to advise you that the initial application under reference number **20100311-0029** has been abandoned and should be disregarded in its entirety. In its place, we hereby file a fresh application for information as per the attached duly completed form in terms of section 18(1) of PAIA, which is attached hereto as annexure "A", for your immediate attention.
5. According to our instructions, our client has made repeated oral and written requests to the relevant officials of the WCED, specifically requesting access to the disaggregated 2007 literacy and numeracy testing results for Grade 6. We see no need to inform you again of the numerous steps taken in this regard as they were fully dealt with in our letter of 5 March 2010.
6. It has recently been brought to our client's attention that the WCED is now in possession of the disaggregated 2009 literacy and numeracy testing results for Grade 6 as well. In light of this development, our client has instructed us to request the disaggregated literacy and numeracy testing results for Grade 6 for both 2007 and 2009 ("the information").
7. Please find attached proof of payment of the prescribed request for information fee of R35.00, as annexure "B" hereto.
8. As the information is easily accessible to the WCED, we do not anticipate any difficulties in this regard and look forward to your prompt response.

Yours faithfully



S'khumbuzo Maphumulo  
Attorney  
maphumulos@alp.org.za

A''



REPUBLIC OF SOUTH AFRICA

**FORM A**  
**REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**  
**(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))**  
**[Regulation 6]**

**FOR DEPARTMENTAL USE**

Reference number: .....

Request received by ..... (state rank,  
name and surname of information officer/deputy information officer) on ..... (date)  
at ..... (place)

Request fee (if any): R .....

Deposit (if any): R .....

Access fee: R .....

.....  
SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

**A. Particulars of public body**

The Information Officer/Deputy Information Officer:

Western Cape Education Department  
c/o Mr Paddy Attwell

Private Bag x9114, Cape Town  
8000

Fax: 021 461 3694  
E-mail: pattwell@pgwc.gov.za

**B. Particulars of person requesting access to the record**

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

Full names and surname: S'khumbuzo Maphumulo

Identity number: 

7	3	0	3	2	3	5	4	3	4	0	8	2
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Postal address: AIDS Law Project, PO Box 32361, Braamfontein, 2017

Telephone number: (011) 356 4100 Fax number: (011) 339 4311

E-mail address: maphumulos@alp.org.za

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

Legal Representative of Equal Education, an association incorporated in terms of section 21 of the Companies Act, 1973

**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.

Full names and surname: Equal Education (c/o Mr Doron Moss Isaacs)

Identity number: 

8	0	0	9	2	5	5	1	2	9	0	8	5
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**D. Particulars of record**

- (a) 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.  
 (b) 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:

Copies of the entire record of the two most recent disaggregated results of the literacy and numeracy testing done in the Western Cape (i.e. for 2007 and 2009 respectively)

2. Reference number, if available: N/A

3. Any further particulars of record:

The record relates to the Western Cape's provincial tests assessments on Grade 6 learners which were conducted in 2007 and 2009 respectively. Given that only the aggregated results were released to the public, Equal Education now requires access to the disaggregated versions of both results.

**E. Fees**

- (a) 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.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) 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.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

N/A

**F. 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 below, state your disability and indicate in which form the record is required.

Disability: No	Form in which record is required:
Mark the appropriate box with an <b>X</b> .	
NOTES:	
(a) Compliance with your request for access 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 to the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:				
<input checked="" type="checkbox"/>	copy of record*		inspection of record	
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):				
<input type="checkbox"/>	view the images	<input checked="" type="checkbox"/>	copy of the images*	<input type="checkbox"/>
			transcription of the	

**FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**

					images*	
3. If record consists of recorded words or information which can be reproduced in sound:						
	listen to the soundtrack (audio cassette)	X	transcription of soundtrack* (written or printed document)			
4. If record is held on computer or in an electronic or machine-readable form:						
	printed copy of record*		printed copy of information derived from the record*	X	copy in computer readable form* (stiffy or compact disc)	

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO	X
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.			
In which language would you prefer the record? English			

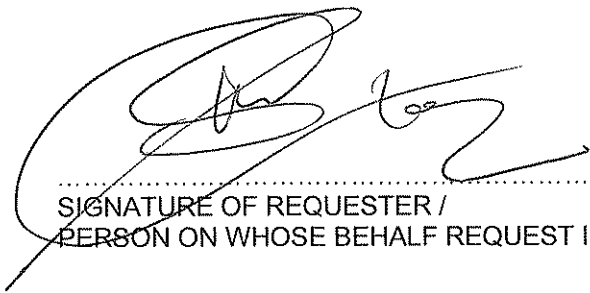
**G. Notice of decision regarding request for access**

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.

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

By e-mail and fax

Signed at Johannesburg ..... this day 11 ..... of March ..... year 2010

  
 .....  
 SIGNATURE OF REQUESTER /  
 PERSON ON WHOSE BEHALF REQUEST IS MADE

**Nedbank Limited**  
 Reg No. 1951/000000/06  
 BRAAMFONTEIN

11 MAR 2010  
 T5  
 19-50-05

# 26767 D 4212 950 5 11/03/2010 14:50  
 BRAAMFONTEIN

000000000000 (H)  
 CURRENT ACCOUNT  
 WESTERN CAPE EDUCATION DEPARTMENT  
 0000001452\_045089/0 94646463 35,00  
 Cash/Kontant 35,00  
 Cheques/Tjeks 0  
 NAR. NN PAIR ALP EQUAL EDUCATION  
 R 20 1 20,00  
 R 10 1 10,00  
 COINS 5,00  
 Have a happy day Geniet die dag  
 000000000000

**NEDBANK**  
 1951/000000/06

DEPOSITSLIP  
 DEPOSITSTROKKE

Date/Datum (ddmmjjj)

word) was 6  
 OR LETTERS)

CHEQUES - Name of drawer TJES - Naam van trekker	Total of CASH, POSTAL and MONEY ORDERS/Totaal van KONTANT, POSORDERS en -WISSELS	RAND	Cents/Sent
No cheque exceeding R5 million will be accepted/Geen tjek wat R5 miljoen oorskry, word aanvaar nie			
<b>Nedbank Limited</b> Reg No. 1951/000000/06 BRAAMFONTEIN 11 MAR 2010			
1			
2			
3			
4			
		<b>TOTAL/TOTAAL</b>	

be available as cash only under the bank's discretion and shall not be available for collection or for use as a cheque. The bank shall not be responsible for errors or omissions in the information provided. Die bank aanvaar geen aanspreekbaarheid vir foutte wat sprake is van inwerking gestel word, of vir instrumente wat in enige stadium van inwerking verloor, gesteel of vernietig word nie. Die bank is ook nie verantwoordelik vir foutte wat sprake is van enige sodanige inligting na te gaan of te verifieer nie.

5,229 NED 3Aug2007 Dawmsak Print (Pty) Ltd

WESTERN CAPE EDUCATION R 35,00

iteer  
 Investment/Instelment credit no  
 Beleggings/Afstelingskredietno

We subscribe to the Code of Banking Practice of The Banking Association South Africa and, for unresolved disputes, support resolution through the Ombudsman for Banking Services. We are an authorized financial services provider. We are a registered credit provider in terms of the National Credit Act (NCA Reg No. NCRCP16). Ons onderskryf die Bankgedragskode van die Bankvereniging Suid-Afrika en, in die geval van onopgeloste getuienis, steun ons beslegging deur die Ombudsman vir Bankdienste. Ons is 'n gemagtigde finansiële diensversaffer. Ons is 'n geregistreerde kredietversaffer ingevolge die Nasionale Kredietwet (NKA Reg No. NCRCP16).

346463 1:1682054

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"B"