

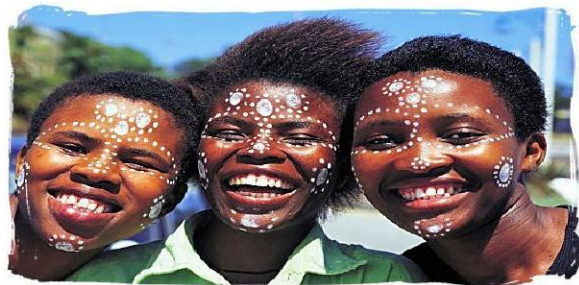


LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

Department of Health

PROMOTION OF ACCESS TO INFORMATION ACT MANUAL



THIRD EDITION, 2015

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2) PARTICULARS IN TERMS OF SECTION 14

THE FUNCTIONS AND THE STRUCTURE OF THE DEPARTMENT OF HEALTH

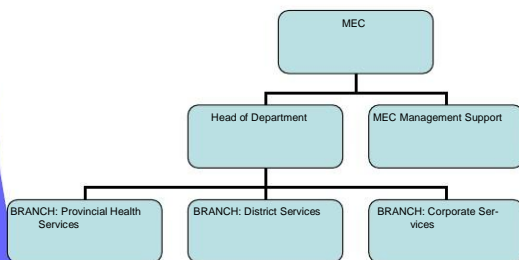
FUNCTIONS OF THE DEPARTMENT OF HEALTH

To provide Health Care Services.

THE STRUCTURE OF THE DEPARTMENT

The MEC is the Political Head of the Department and the administrative wing of the Department is headed by the HOD, who is also the Department's accounting officer. The Department consists of 4 (four) branches as depicted in Diagram 1 below:

Diagram 1: A schematic structure of Department of Health



Administratively, the Department consists of the Provincial Head Office situated in Polokwane and the following five district offices:

Capricorn
Mopani
Sekhukhune
Vhembe
Waterberg

In terms of service delivery, the Department consists of about 40 Hospitals, 24 Health Centres, 459 Clinics, and 8 vertical programmes which are supported by the Department.

B. CONTACT DETAILS (SECTION 14(1)(b))

Table 1: Contact details of Information officers

INFORMATION OFFICER	ADDRESS
Head of Department	Private Bag X9302 POLOKWANE 0700 TEL. NO. : +27 15-293 6019 FAX. NO. : +27 15-293 6170 Email: siphon.kabane@dhsd.limpopo.gov.za
DEPUTY INFORMATION OFFICERS	ADDRESS
GITO	Private Bag X9302 POLOKWANE 0700 TEL. NO. : +27 15-293 6400 FAX. NO. : 015 293 6217/6218 Email: Mamaila.mohlaka@dhsd.limpopo.gov.za
Gomba M.G Senior Manager: Records Management	Private Bag X9302 POLOKWANE 0700 TEL. NO. : +27 15-293 6000 FAX. NO. : +27 15-293 6218/6211 Email: gboy.gomba@dhsd.limpopo.gov.za and Mamaila.mohlaka@dhsd.limpopo.gov.za
Physical Address	18 College Street POLOKWANE 0700 Website: www.dhsd.limpopo.gov.za Telephone No. : +27 15 293 6000 Fax. No. : +27 15 293 6218

C. THE SECTION 10 GUIDE ON HOW TO USE THE ACT [Section 14(1)(c)]

The guide will be available from the Department of Health. Please direct any queries to:

DEPUTY INFORMATION OFFICER	ADDRESS
GITO	Private Bag X9302
	POLOKWANE
	0700
	TEL. NO. : +27 15-293 6038
	FAX. NO. : +27 15-293 6211/6038
	Email: Mamaila.mohlaka@dhsd.limpopo.gov.za
	Website: www.dhsd.limpopo.gov.za

ACCESS TO RECORDS HELD BY THE DEPARTMENT OF HEALTH, LIMPOPO (SECTION 14(1)(D))

AUTOMATIC DISCLOSURES (Section 14(1)(e))

The following are categories of records generated by the Department, which are available without a person having to request access in terms of the Act:

Departmental Structure
 Departmental contact details
 Annual Reports
 Service Standards and Norms
 Strategic Plans
 Annual Performance Plans
 Acts and Regulations
 News Letters
 Brochures
 Speeches
 Promotion of Access to Information Manual
 Circular for advertisement of posts
 Public Service Application Forms (Z83)
 Circular for advertisement of Tenders

RECORDS THAT MAY BE REQUESTED [Section 14(1)(d)]

SUBJECTS	RECORDS CATEGORIES
Communication	See automatic disclosure list (4.1) for most items generated by this function
Communicable diseases, epidemiology, expanded programme on immunisation, environmental health and occupational health	Disease Surveillance reports Environmental impact assessment reports

SUBJECTS	RECORDS CATEGORIES
HIV/AIDS/STIS/TB	Comprehensive Reports on HIV & AIDS, STIs and TB.
Human resource development and training	Organizational Structures Human Resources Development and Training Reports
Human resource management	Recruitment Reports Human Resource Management
Information and records management	Information Management Reports Records management Services
Information technology/information systems	IT infrastructure Reports
Integrated primary health care services	Primary Health Care Reports
Labour relations	Code of conduct
Legal services	Lawsuit/litigation files
Mother and child and women's health, youth and adolescence,	Reports on Maternal Health, child Health and Youth. Nutrition and educational Reports
Nursing education	Nursing Students files
Nursing services	Nursing Care Services Reports and Files
Pharmaceutical services	Medicines Consumption statistics
Physical facilities planning and co-ordination	Buildings' plans
Population development	Demographic and Statistical Reports
Private-public partnership (PPP)	PPP project files
Provisioning and contract management	Specifications and Tender Contracts
Risk management	Anti-fraud and Corruption investigations files
Social security	Grant Administration Reports and statistics
Social work services	All Reports related to Social Work Services
Strategic management and planning	Strategic Planning Reports
Transformation and transversal services	Quality assurance reports
Transport and logistical support services	Transport and Maintenance Reports
Emergency medical services	

III) THE REQUEST PROCEDURE

A requester may be given access to a record in the Department of Health if the requester complies with the following:

The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and

Access to that record is in terms of the requirements of the Promotion of Access to Information Act 2 of 2000.

Nature of the request:

A requester must use the form that has been printed in the Government Gazette (Govt. Notice R187 – 15 February 2002) (Form A).

The requester must also indicate if the request is for a copy of the record or if the requester wants to come in and look at the record at the Offices of the Department. Alternatively if the record is not a document it can be viewed in the requested form, where possible (S 29(2)).

If a requester asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee must be calculated according to the way that the requester first asked for it. (S29 (3) and (4)).

If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any way, e.g. telephone, this must be indicated (S18(2)(e)).

If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated (S18 (2) (f)).

If a requester is unable to read or write, or has a disability, then they can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give him/her a copy (S (13)).

There are two types of fees required to be paid in terms of the Act, being the request fee and the access fee (Section 22):

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

The request payable to public bodies is R35-00. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.

After the information officer has made a decision on the request the requester must be notified of such a decision in the way in which the requester wanted to be notified in.

If the requester is granted then a further access fee must be paid for the search, preparation, and reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

E. SERVICES OFFERED BY THE DEPARTMENT

(i) NATURE OF SERVICES

Financial Management, Strategic Management & Corporate Services:

- Human resource development and training.
- Human resource management.
- Transport management and logistical support services.
- Financial planning.
- Legal services
- Strategic Management

Health Care Services:

- Preventive, Promotive, Rehabilitation and Treatment Care Services.

Information and Communication Services

- Communication Services
- Investigations, follow-up fraud cases and risk management issues
- Information and Records Management.
- Information Systems and Information Technology

(ii) HOW TO GAIN ACCESS TO THESE SERVICES

- A request for access to a record must be made on the prescribed form (see Item F) to the Information Officer or Deputy Information Officer at the following address:

Information officer	The Head Of Department, Health
Physical Address	18 College Street Polokwane 0700
Postal Address	Private Bag X9302 Polokwane
Telephone	015 293 – 6000/6400
Fax	015 293 – 6211
Email	mamaila.mohlaka@dhsd.limpopo.gov.za
Website	www.dhsd.limpopo.gov.za

F. ARRANGEMENT ALLOWING FOR PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND THE EXERCISING OF THE POWER [Section 14(1)(g)]

Hospital Boards – members of the public are also represented in the board

Imbizo – department meetings the community and provides a platform for raising of community concerns

Internship programmes – there is a recruitment policy in place for the recruitment of the public for such posts

Consultants and contract workers –



G. THE REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH
[SECTION 14(1)(H)]

(i) INTERNAL APPEALS AGAINST DECISIONS

An internal appeal against a decision of the Information Officer or Deputy Information Officer may be lodged with the MEC for Health and Social Development, Limpopo, or the person designated in writing by the MEC, on any of the following grounds:

- a) a refusal to grant access; or
- b) a decision taken in terms of sections 22, 26 (1) or 29 (3).

A third party may lodge an internal appeal against a decision of the information officer or deputy information officer to grant a request for access.

An internal appeal must-

- a) be lodged in the prescribed, Form B (attached hereto) within 60 days if notice to a third party as required by section 49(1)(b) and within 30 days after decision was taken or notice has been given to the appellant of the decision appealed against;
- b) be delivered or sent to the information officer or deputy information officer at his or her address, fax number or electronic mail address;
- c) identify the subject of the internal appeal and state the reasons thereof and may include any other relevant information known to the appellant;
- d) state the manner and provide the particulars which the appellant desires to be informed of on the decision of the internal appeal in addition to a written reply; and
- e) Specify a postal address or fax number.

An internal appeal which is lodged after the expiry of the prescribed period may, on good cause shown, be allowed by the MEC or the person designated in writing by the MEC.

(ii) COURT APPLICATIONS REGARDING DECISIONS OF THE MEC OR THE PERSON DESIGNATED IN WRITING BY THE MEC

A requester or third party may only, after exhausting the internal appeal procedure against a decision of an information officer or deputy information officer, apply to a court for appropriate relief

A requester whose internal appeal has been unsuccessful or aggrieved by a decision of the MEC or the person designated in writing by the MEC to disallow the late lodging of an internal appeal in terms of section 75 (2) may, by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82.

The unsuccessful third party in an internal appeal to the relevant executing authority may, by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82.

H. UPDATING OF THE MANUAL (Section 14(2))

The Department may, if necessary, update and publish its manual referred to in subsection (1) of Section 14, at intervals of not more than a year.

I. AVAILABILITY OF THE MANUAL (Section 14(3))

The manual will be made available in the following languages:

- English
- Sepedi
- Tshivenda
- Tsonga
- Afrikaans

3) PRESCRIBED FEES FOR THE DEPARTMENT

3.1 PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002 PRESCRIBES FEES IN RESPECT OF THE GOVERNMENTAL BODIES AS FOLLOWS:

3.1.1 The fee for a copy of the manual as contemplated in regulation 5(c) is R0, 60 for every photocopy of an A4-size page or part thereof.

3.1.2 The fees for reproduction referred to in regulation 7(1) are as follows:

DESCRIPTION	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine – readable form	0,40
(c) For a copy in a computer-readable form on: i) stiffy disc	5,00
ii) compact disc	40,00
(d) i) for a transcription of visual images, for an A4-size page or part thereof	22,00
ii) For a copy of visual images	60,00
(e) i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
ii) For a copy of an audio record	17,00

3.1.3 The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35, 00.

The access fees payable by a requester referred to in regulation 7(3) are as follows:

DESCRIPTION	R
(1) (a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine – readable form	0,40
(c) For a copy in a computer-readable form on: i) disc	5,00
ii) For a copy of visual images	40,00
(d) i) for a transcription of visual images, for an A4-size page or part thereof	22,00
ii) For a copy of visual images	60,00
(e) i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
ii) For a copy of an audio record	17,00
(f) To search for and prepare the record for disclosure, R15, 00 for each hour or part of an hour, excluding the first hour, reasonable required for such search and preparation.	

3.2 For purposes of section 22(2) of the Act, the following applies:

3.2.1 Six hours as the hours to be exceeded before a deposit is payable; and

3.2.2 One third of the access fee is payable as a deposit by the requester.

3.3 The actual postage is payable when a copy of a record must be posted to a requester.

4) PRESCRIBED FORM FOR ACCESS TO A RECORD OF THE DEPARTMENT

ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002

FORM A

REQUEST FOR ACCESS TO RECORD OF THE DEPARTMENT

(Section 18(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000))

{Regulation 2}

FOR DEPARTMENTAL USE

Reference Number: _____

Request received by:

Name:

Rank:

Date:

Place:

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

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

Access fee: R.....

SIGNATURE OF

INFORMATION OFFICER/DEPUTY INFORMATION OFFICER



A. Particulars of the Department

The Information Officer/Deputy Information Officer

DEPUTY INFORMATION OFFICER	ADDRESS
Dr S. Kabane	Private Bag X9302 POLOKWANE 0700 TEL. NO. : +27 15-293 6019 FAX. NO. : +27 15-293 6170 Email: sipho.kabane@dhsd.limpopo.gov.za
DEPUTY INFORMATION OFFICERS	ADDRESS
GITO	Private Bag X9302 POLOKWANE 0700 TEL. NO. : +27 15-293 6000/6038 FAX. NO. : +27 15-293 6211 Email: Mamaila.mohlaka@dhsd.limpopo.gov.za
Ms Gomba M.G. Ms Mohlaka R.M.	POLOKWANE 0700 TEL. NO. : +27 15-293 6000/6197/6400 FAX. NO. : +27 15-293 6211/6218 Email: Glory.gomba@dhsd.limpopo.gov.za/or 18 College Street
Physical Address	POLOKWANE 0700 Website: www.dhsd.limpopo.gov.za Telephone No. : +27 15 293 6000 Fax. No. : +27 15 293 6211

B. Particulars of Person Requesting Access to the Record

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

SURNAME:

FULL NAMES:

IDENTITY NUMBER:

POSTAL ADDRESS:

TELEPHONE NUMBER:

FAX. NUMBER:

E-MAIL 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.

Surname:

Full Names:

Identity Number:

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:

2. Reference number, is available:

3. Any further particulars of record:

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 therefore.

Reason for exemption from payment of fees:

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 hereunder, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:



Mark the appropriate box with an "X".

NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in 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-

	copy of record*		inspection of record
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2. If record consists of visual images-

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

	View the images	Copy of the images*	Transcription of the images*
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3. If the record consists of recorded words or information which can be reproduced in sound-

Listen to the soundtrack (audio cassette)	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*	Copy in computer readable form*
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*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

A postal fee is payable.

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?

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 thereof 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?

Signed at _____ this _____ day of _____ 20

SIGNATURE OF REQUESTER/

PERSON ON WHO'S BEHALF REQUEST IS MADE

