

**Manual in terms of section 14 of the**

 **Promotion of Access to Information Act, 2000**

**DEPARTMENT OF HEALTH**

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5. **INTRODUCTION**

The current constitutional dispensation in South Africa makes provision for the right of access to any information held by the State (subject to justifiable limitations) and to information held by a private body that is required for the exercise or protection of any right.

The Constitutional Court interpreted the right of access to information as not merely a right to obtain access to information for the exercise or protection of a right, but also to ensure that there is open and accountable administration at all levels of government.

Section 32(1)(a) and (2) of the Constitution of the Republic of South Africa, 1996 (the Constitution) reads as flows:

*“(1) Everyone has the right of access to –*

1. *any information held by the State; and*

*any information that is held by another person and that is required for the exercise or protection of any rights.*

1. *National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.”.*

The aforesaid resulted in the enactment of the Promotion of Access to Information Act, 2000 (PAIA). The purpose of PAIA is to foster a culture of transparency and accountability in public and private bodies and to empower and educate the people of South Africa to understand their rights.

In terms of section 14 of PAIA a public body must have a manual which sets out amongst others the functions of, and an index of records held by a public body. This manual gives effect to the provisions of section 14 of PAIA and also provides assistance on the procedure that must be followed to request access to a record that is being held by the Department of Health.

1. **STRUCTURE OF THE DEPARTMENT**

MINISTER

DEPARTMENT OF HEALTH

HOD

DEPARTMENT OF HEALTH

DIRECTOR

COMMUNICATION SERVICES

CHIEF DIRECTOR

HUMAN RESOURCES

CHIEF DIRECTOR

INFRASTRUCTURE MANAGEMENT

CHIEF DIRECTOR

STRATEGY & HEALTH SUPPORT

CHIEF DIRECTOR HEALTH PROGRAMMES

DDG CHIEF FINANCIAL OFFICER

DDG CHIEF OPERATIONS OFFICER

DIRECTOR COMMUNITY BASED PROGRAMMES

DIRECTOR

HUMAN RESOURCE

MANAGEMENT

DIRECTOR

HEALTH TECHNOLOGY

DIRECTOR STRATEGIC PLANNING &
CO-ORDINATION

**FIG 1**

FIGURE 1

**FIG 2**

FIGURE 2

DIRECTOR FACILITY BASED PROGRAMMES

 DIRECTOR

LABOUR RELATIONS

DIRECTOR

INFRASTRUCTURE PLANNING

DIRECTOR

INFORMATION MANAGEMENT

DIRECTOR HIV / AIDS AND TB

DIRECTOR

HUMAN RESOURCE DEVELOPMENT

DIRECTOR

ENGINEERING & TECHNICAL SERVICES

DIRECTOR

HEALTH IMPACT ASSESSMENT

DIRECTOR

NURSING

DIRECTOR

INFRASTRUCTURE PROGRAMME DELIVERY

DIRECTOR

PROFESSIONAL SUPPORT SERVICES

DIRECTORATE

TBH PROJECT OFFICE

DIRECTOR

PHARMACY SERVICES

DIRECTOR BUSINESS DEVELOPMENT

DDG: CHIEF OPERATIONS OFFICER

**FIGURE 1**

CHIEF DIRECTOR METRO DISTRICT HEALTH SERVICES

CHIEF DIRECTOR RURAL DISTRICT HEALTH SERVICES

CHIEF DIRECTOR

GENERAL SPECIALIST & EMERGENCY

CEO

GROOTE SCHUUR HOSPITAL

DIRECTOR: SUBSTRUCTURE 1 NORTHERN & TYGERBERG

COO

GENERAL SPECIALIST HOSPITALS

DIRECTOR – GSH

CLINICAL SERVICES

DIRECTOR

CAPE WINELANDS DISTRICT

DIRECTOR – GSH

FINANCE

DIRECTOR

CENTRAL KAROO DISTRICT

DIRECTOR: SUBSTRUCTURE 2 WESTERN & SOUTHERN

DIRECTOR

EMERGENCY MEDICAL SERVICES

CEO

TYGERBERG HOSPITAL

DIRECTOR

EDEN DISTRICT

DIRECTOR: SUBSTRUCTURE 3 MITCHELLS PLAIN & KLIPFONTEIN

DIRECTOR

FORENSIC PATHOLOGY SERVICES

DIRECTOR – TBH

CLINICAL SERVICES

DIRECTOR – TBH

FINANCE

DIRECTOR OVERBERG DISTRICT

DIRECTOR: SUBSTRUCTURE 4 EASTERN & KHAYELITSHA

CEO

RED CROSS WAR MEMORIAL CHILDRENS HOSPITAL

DIRECTOR

WEST COAST DISTRICT

**FIGURE 2**

DDG:

CHIEF FINANCIAL OFFICER

CHIEF DIRECTOR FINANCIAL MANAGEMENT

DIRECTOR

FINANCIAL ACCOUNTING

DIRECTOR

 SUPPLY CHAIN MANAGEMENT

CHIEF DIRECTOR FINANCIAL MANAGEMENT SUPPORT

DIRECTOR MANAGEMENT ACCOUNTING

1. **FUNCTIONS OF THE DEPARTMENT**
* Plan health services in the Western Cape
* To provide a full range of individual and public health services to the population of the province
* To provide infrastructure and support services to health operations
* To provide for public health intelligence, research and training
* To ensure effective financial, human resource and asset management
* Develop strategic relationships that facilitate the provision of health care and promote health

 **DIRECTORATE: COMMUNICATION**

* Render internal and external communication service
* Render language services

**BRANCH: OPERATIONS**

* To provide for tertiary and quaternary health services
* To create a platform for training health workers and conduct research
* To provide for secondary, specialized, emergency and forensic pathology services
* To ensure the delivery of District Health Services
* To ensure the delivery of health programmes

**CHIEF DIRECTORATE: GROOTE SCHUUR HOSPITAL**

* To render general, highly specialized and quaternary medical health services
* To provide and maintain a platform for the training of health workers and conduct research

**DIRECTORATE: CLINICAL SERVICES**

* Render general medical service
* Render surgical services
* Render critical care service
* Render obstetric and gynaegologocal services
* Render pediatric services
* Render general medical support services
* Render radiation therapy services
* Render oral health, OPD and day surgery services
* Ensure an effective nursing service

**DIRECTORATE: FINANCE**

* Render financial administrative service
* Render procurement and information technology service

**CHIEF DIRECTORATE: TYGERBERG HOSPITAL**

* To render general, highly specialized and quaternary medical health services
* To provide and maintain a platform for the training of health workers and conduct research

**DIRECTORATE: CLINICAL SERVICES**

* Render general medical service
* Render surgical services
* Render critical care service
* Render obstetric and gynaegologocal services
* Render pediatric services
* Render general medical support services
* Render radiation therapy services
* Render oral health, OPD and day surgery services
* Ensure an effective nursing service

**DIRECTORATE: FINANCE**

* Render financial administrative service
* Render procurement and information technology service

**CHIEF DIRECTORATE: GENERAL SPECIALIST AND EMERGENCY SERVICES**

* The rendering of a secondary and specialized hospital service in the Western Cape
* The provision of a psychiatric hospital service in the Western Cape
* The provision of an emergency medical service in the Western Cape
* Ensure a comprehensive forensic pathology service within the Western Cape

 **DIRECTORATE: GENERAL SPECIALIST HOSPITALS**

* To provide hospital services which are accessible, appropriate and effective
* To provide general specialist services including specialized rehabilitation, dental and psychiatric service
* To provide a platform for training health professionals and conducting research

**DIRECTORATE: EMERGENCY MEDICAL SERVICES**

* Provide pre-hospital emergency medical services
* Provide for inter-hospital transfers and planned patient transport
* Provide clinical governance and co-ordination of emergency medicine

**DIRECTORATE: FORENSIC PATHOLOGY SERVICES**

* Render forensic pathology services at the Tygerberg Hospital complex
* Render forensic pathology services at the Groote Schuur Hospital complex
* Render forensic pathology services within the Metropole Substructures and Rural Districts

**CHIEF DIRECTORATE: RURAL DISTRICT HEALTH SERVICES**

* To ensure the delivery of District Health Services in the Rural Districts

**DIRECTORATE: WEST COAST DISTRICT**

* The management of District Health Services
* The management of the implementation of health programmes
* The management of professional support services
* The management of pharmacy services
* The management of finance and support services
* The management of human resources
* The management of technical services

**DIRECTORATE: OVERBERG DISTRICT**

* The management of District Health Services
* The management of the implementation of health programmes
* The management of professional support services
* The management of pharmacy services
* The management of finance and support services
* The management of human resources
* The management of technical services

**DIRECTORATE: EDEN DISTRICT**

* The management of District Health Services
* The management of the implementation of health programmes
* The management of professional support services
* The management of pharmacy services
* The management of finance and support services
* The management of human resources
* The management of technical services

**DIRECTORATE: CAPE WINELANDS DISTRICT**

* The management of District Health Services
* The management of the implementation of health programmes
* The management of professional support services
* The management of pharmacy services
* The management of finance and support services
* The management of human resources
* The management of technical services

**DIRECTORATE: CENTRAL KAROO DISTRICT**

* The management of District Health Services
* The management of the implementation of health programmes
* The management of professional support services
* The management of pharmacy services
* The management of finance and support services
* The management of human resources
* The management of technical services

**CHIEF DIRECTORATE: METRO DISTRICT HEALTH SERVICES**

* To ensure the delivery of District Health Services in the Metropole Substructures

**DIRECORATE: SUBSTRUCTURE 1 NORTHERN AND TYGERBERG SUBDISTRICTS**

* The management of Primary Health Care and Level 1 hospital services
* The management of the implementation of health programmes
* The management of pharmacy services
* The management of finance and support services
* The management of human resources
* The management of technical services

**DIRECTORATE: SUBSTRUCTURE 2 WESTERN AND SOUTHERN SUBDISTRICTS**

* The management of Primary Health Care and Level 1 hospital services
* The management of the implementation of health programmes
* The management of pharmacy services
* The management of finance and support services
* The management of human resources
* The management of technical services

**DIRECTORATE: SUBSTRUCTURE 3 MITCHELLS PLAIN AND KLIPFONTEIN SUBDISTRICTS**

* The management of PHC and Level 1 hospital services
* The management of the implementation of health programmes
* The management of pharmacy services
* The management of finance and support services
* The management of human resources
* The management of technical services

**DIRECTORATE: SUBSTRUCTURE 4 EASTERN AND KHAYELITSHA SUBDISTRICTS**

* The management of Primary Health Care and Level 1 hospital services
* The management of the implementation of health programmes
* The management of pharmacy services
* The management of finance and support services
* The management of human resources
* The management of technical services

**CHIEF DIRECTORATE: HEALTH PROGRAMMES**

* Ensure, facilitate and control comprehensive health programmes
* Ensure, facilitate and control public health programmes
* Make the public aware of HIV/AIDS/TB and optimize health care to those infected with HIV/AIDS/TB

**DIRECTORATE: COMPREHENSIVE HEALTH PROGRAMMES**

* Develop, monitor, evaluate and co-ordinate the following comprehensive health programme-
	+ Maternal, child and women’s health
	+ Reproductive health
	+ Communicable disease control (excluding TB)
	+ Nutrition

**DIRECTORATE: PUBLIC HEALTH PROGRAMMES**

* Develop, monitor, evaluate and co-ordinate the following identified Public Health programmes-
	+ Chronic care, care of the elderly and rehabilitation
	+ Mental health
	+ Environmental, occupational and port health
	+ Oral health

**DIRECTORATE: HIV/AIDS/TB**

* Facilitate the education of the public on HIV/AIDS/TB
* Optimise service delivery for the treatment of HIV/AIDS/TB
* Develop, monitor, evaluate and co-ordinate the TB programme
* Provide AIDS training, information and counseling to the Department

**CHIEF DIRECTORATE: STRATEGY AND HEALTH SUPPORT**

* Facilitate the legislative and strategic direction of the Department of Health
* Assess the impact of health service delivery
* Co-ordinate, integrate and provide health information in the Department
* Provide professional support services
* The provision of pharmacy services to health facilities

**DIRECTORATE: STRATEGIC PLANNING AND CO-ORDINATION**

* Facilitate the development of legislation in support of health policies
* Facilitate the strategic direction of the Department of Health
* Ensure adherence to strategic and performance plans

**DIRECTORATE: HEALTH IMPACT ASSESSMENT**

* Ensure the development and implementation of disease surveillance programme
* Ensure health research
* Determine the effectiveness of all health programmes
* Co-ordinate and monitor the quality of health care

**DIRECTORATE: INFORMATION MANAGEMENT**

* Ensure the provisioning of health knowledge
* Formulate statutory and management reports for decision making
* Ensure the development, implementation and maintenance of ICT strategy and MSP
* Provide a records management service

**DIRECTORATE: PROFESSIONAL SUPPORT SERVICES**

* Rendering of medico-legal service
* Provision of effective laboratory services
* Manage the private health facility adjudication process
* Provide an advisory and co-ordinating service to the medical imaging profession
* Provide an advisory and co-ordinating service to the therapeutic services

**DIRECTORATE: PHARMACY SERVICES**

* The management and supply of pharmaceuticals and medical supplies to health facilities

**CHIEF DIRECTORATE: INFRASTRUCTURE MANAGEMENT**

* To render Laundry and Engineering Support services to health operations
* To provide new health facilities
* To provide for the refurbishment, upgrading and maintenance of existing health facilities
* To provide health technology

**DIRECTORATE: HEALTH TECHNOLOGY**

* The delivery of health technology and medical equipment in line with the level of care and the specific health service plans

**DIRECTORATE: INFRASTRUCTURE PLANNING**

* Developing infrastructure programmes and projects that support the departments health objectives
* Provide effective infrastructure planning support

 **DIRECTORATE: INFRASTRUCTURE DELIVERY**

* Manage the implementation of the capital projects
* Monitoring and controlling the roll out of infrastructure programmes and projects
* Liaise with the Department of Transport and Public Works with regard to the acquisition and disposal of properties
* Ensure effective monitoring and evaluation of Infrastructure projects

 **DIRECTORATE: TBH PROJECT OFFICE**

* The provision of project management services that range from feasibility analysis to final delivery and maintenance for the redevelopment of an entire tertiary hospital complex

**DIRECTORATE: ENGINEERING AND TECHNICAL SUPPORT SERVICES**

* Provide hospital engineering support services
* Provide clinical engineering support services
* Implement the provisions of the Occupational Health and Safety Act and equipment safety services
* Provide laundry and linen services

**BRANCH: FINANCE**

* Provide sound budget administration and financial management within the Department
* Promote budget administration and business development services

**CHIEF DIRECTORATE: FINANCIAL MANAGEMENT**

* Ensure effective financial accounting services
* Conduct effective supply chain management services

**DIRECTORATE: FINANCIAL ACCOUNTING**

* Ensure effective financial administration services
* Ensure that the Financial Regulatory measures are complied with

**DIRECTORATE: SUPPLY CHAIN MANAGEMENT**

* Ensure effective bid processes and contract administration services
* Render effective logistical management services

**CHIEF DIRECTORATE: FINANCIAL MANAGEMENT SUPPORT**

* The rendering of management accounting services
* The regulation of private health services and the establishment of health public private partnerships
* Identification and management of risk

**DIRECTORATE: MANAGEMENT ACCOUNTING**

* The compilation of the MTEF and Adjustments Estimate
* Formats and to implement Expenditure Control measures
* The enhancement of income management
* The assurance that the Billing Operating Systems comply with the hospital fees requirements

**CHIEF DIRECTORATE: HUMAN RESOURCES**

* Render an effective human resource management service
* Promote sound labour relations within the department
* Develop and maintain effective human resource development, training and capacity building for personnel and communities
* Ensure an effective nursing service

**DIRECTORATE: HUMAN RESOURCE MANAGEMENT**

* Ensure effective human resource policies / practices and work organization
* Optimise human resource administration
* Render a secretarial service

**DIRECTORATE: LABOUR RELATIONS**

* Develop labour relations policies and procedures and manage the collective bargaining process
* Assist and provide advice concerning disputes, discipline and labour related issues
* Render an administrative support service

**DIRECTORATE: HUMAN RESOURCE DEVELOPMENT**

* To create training and development opportunities for actual and potential employees of the Western Cape Department of Health

**DIRECTORATE: NURSING SERVICES**

* Ensure norms and standards with regard to education and training
* Ensure norms and standards with regard to clinical practice
* Educate people in the disciplines of nursing
1. **CONTACT DETAILS OF THE INFORMATION OFFICER SECTION 14(1)(b)**

Adv. B Gerber

 1st Floor

 15 Wale Street

 Cape Town

 8000

 Tel: 021 4836032

 Fax: 021 4833300/4715

 E-mail: Brent.Gerber@westerncape.gov.za

 **CONTACT DETAILS OF THE DEPUTY INFORMATION OFFICERS**

 **SECTION 14(1)(b)**

1. Dr B Engelbrecht

 4 Dorp Street / Private Bag X2060

 CAPE TOWN

 Tel.: (021) 483-4473

 Fax: (021) 483-5677

 E-mail: Beth.Engelbrecht@westerncape.gov.za

1. Mr E Reynolds

4 Dorp Street / Private Bag 2060

CAPE TOWN

Telephone No: (021) 483 4661

Fax No: (021) 483 3277

Email: Eugene.Reynolds@westerncape.gov.za

1. **GUIDE BY SOUTH AFRICAN HUMAN RIGHTS COMMISSION ON HOW TO USE THE ACT**

 **SECTION 14(1)(c)**

It is the responsibility of the SAHRC to compile a guide in terms of section 10 of the PAIA, in an easily comprehensible form and manner, as may be required by a person who wishes to exercise any right contemplated in the Act.

This guide is also available in all the official languages from the SAHRC and any enquiries in this regard should be directed to:

|  |
| --- |
| The South African Human Rights Commission |
| Telephone  | +27 11 877 3900 |
| Fax  | +27 11 403 0684 |
| E-Mail Address | PAIA@sahrc.org.za |
| Postal Address | PAIA Unit: Promotion of Access to InformationPrivate Bag 2700, Houghton, 2041 |
| Street Address | PAIA Unit: South African Human Rights Commission33 Hoof Street, Braamfontein, 2017JOHANNESBURG |
| Website | [www.sahrc.org.za](http://www.sahrc.org.za/) |

1. **RECORDS**

**6.1 DESCRIPTION OF SUBJECTS ON WHICH THE DEPARTMENT HOLDS RECORDS**

 **SECTION 14(1)(d)**

* Hospital Records
	+ Patient Files
	+ Medical Information
	+ X-Rays
	+ Registers
* General Administration
* Finance
* Human Resources
* Supply Chain Management
* Business Management
* Health Programmes
* Legislation
* Other Records
* Photographs
* Films/Videos/Sound Recordings
* Minutes/Agendas
* Reports
* Electronic Records

**6.2 RECORDS AUTOMATICALLY AVAILABLE**

|  |  |
| --- | --- |
| **DESCRIPTION OF CATE-GORIES OF RECORDS AUTO-MATICALLY AVAILABLE IN TERMS OF SECTION 15(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)** | **MANNER OF ACCESS TO RECORDS** |
| **DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i)** |
| (a) Medical records for purposes of on-going medical care (referral). (Medical record: this term is used interchangeable with “clinical record” and refers to any document or record in any form whatsoever, which accumulates in the course of patient care, but excludes documents compiled in response to litigation or pending litigation.)This excludes medical records of psychiatric patients (available in terms of section 30 of the Promotion of Access to Information Act).(b) Medical records and administrative documents will be made automatically available to patients, their legal guardians, or an appointed legal representative, only after producing proof of written permission signed by the patient. No information will be given to any other third party(c) All health-related publications including booklets, pamphlets and brochures made available to and by the provincial Health Department expressly for free public distribution. | Copies of medical records may be obtained via the Deputy Information Officer and may incur a prescribed reproduction fee.Copies of departmental policy documents, guidelines and protocols may be obtained on payment of the prescribed fee at the nearest appropriate health facility or institution via request from the Office of the Superintendent-General of Health. (See contact details of deputy information officer)Website: http://intrawp.pgwc.gov.za/health/ |

**6.3 REQUEST PROCEDURE**

* + A requester must use Form A as prescribed in the regulations published in terms of the Promotion of Access to Information Act (Government Notice R 187 of 15 February 2002). Form A is attached herewith.

● A request fee in the amount of R35,00 is payable before the request will be processed.

● The payment of the request fee does not apply to a record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 or the regulations made under section 44 of the said Act (as per Government Notice R991 of 14 October 2005).

* The payment of a request fee is not payable if the request for access to a record relates to the access of a personal record (as per Government Notice R991 of 14 October 2005).
* A ‘request fee’ means the payment of R35-00 as determined in the regulation, attached herewith.

● Provision is made on Form A for the requester to indicate whether he or she requires an opportunity to view the record or requires a copy of the record.

● Form A also allows a requester to indicate the language in which the record is required. There is, however, no obligation on the Department to translate the record.

● A requester may also indicate the form (i.e. paper copy, electronic copy, etc) in which access to the record should be provided. The record will be provided in the requested form unless this would unreasonably interfere with the running of the Department or, for practical reasons, access cannot be given in the requested form or medium.

* The Information Officer and or Deputy Information officer, as the case may be, must as soon as reasonably possible, but in any event within 30 days, after the request is received, decide in accordance with the Act whether to grant the request and notify the requester accordingly.
* The Information Officer or Deputy Information Officer, to whom a request for access has been made, may extend the period of 30 days to handle the request once, for a further period as contemplated in terms of section 26 of PAIA.
* If the request relates to a record of a third party as contemplated in terms of section 34 (1), 35 (1), 36 (1), 37 (1) or 43 (1) of PAIA, the Information Officer or the Deputy Information Officer, as the case may be, must take all reasonable steps, but in any event, within 21 days after the request is received, to inform a third party to whom or which the record relates.
* A third party who is so informed, may within 21 days make written or oral presentations to the Information Officer or Deputy Information Officer, as the case may be, why the request should be refused or may give written consent for the disclosure of the record.
* The Information Officer or the Deputy Information Officer, as the case may be, must as soon as reasonable possible, but in any event within 30 days after every third party is informed, decide whether to grant or refuse the request for access and must notify the third party concerned as well as the requester in terms of section 49 of PAIA, of his or her decision.
* A third party will have the right to lodge an internal appeal against the decision within 30 days after notice is given. The appeal may be lodged by completing Form B, attached herewith, and by forwarding same to the offices of the Information Officer or Deputy Information Officer.
* A requester has the right to lodge an internal appeal, within 60 days after notice is given of the decision of the Information Officer or the Deputy Information Officer, as the case may be, to refuse a request for access or taken in terms of section 22, 26 (1) or 29 (3). The internal appeal must be lodged by delivering or sending Form B to the Information Officer or Deputy Information Officer at his or her address, fax number or electronic mail address.
* In the event that the internal appeal procedure has been exhausted and the requester or third party remains dissatisfied with the outcome, a court may be approached for appropriate relief, within 180 days after being informed of the outcome of the internal appeal.
* The requester may approach either a Magistrates Court or the High Court.

● In the event that a request is granted, other than a personal request, an access fee will be payable by a requester. An ‘access fee’ means the fee(s) that are payable when the requester for example, need copies of the requested record and for the time reasonable required to search for the record and prepare it. The type of fees and the amounts that are payable are determined by the regulations and are attached herewith.

● A single person whose annual income does not exceed R14 712,00 per annum and married persons, or a person and his or her life partner whose annual income does not exceed R27 192,00 are exempted from paying access fees (as per Government Notice R991 of 14 October 2005).

● Payment of the access fee does not apply to the personal record of a requester (as per Government Notice R991 of 14 October 2005).

● In certain instances, a requester may be requested to pay a deposit in addition to the aforementioned fees.

● A requester may lodge an internal appeal against the payment of a deposit or access fee. Should a requester want to lodge an internal appeal, Form B (as prescribed in Government Notice R187 of 15 February 2002) must be completed.

● In the event that the internal appeal procedure has been exhausted and the requester is remains dissatisfied with the outcome, a court may be approached for an appropriate order.

● Access to a record will be withheld until all applicable fees have been paid.

● Information may be requested on behalf of another person. In such instances, the capacity in which the request is made must be indicated.

● If a requester is unable to read or write, or cannot complete the form because of a disability, the request can be made orally. The information officer, or a person so delegated, must fill in the form on behalf of such a requester and give him or her a copy of the completed form.

1. **SERVICES AVAILABLE TO PUBLIC**

 **SECTION 14(1)(f)**

 The Department’s clinical and hospital services are accessed in the following ways -

* Emergency cases are dealt with by the emergency medical services. The service can be reached at telephone number 10177. In emergency cases the emergency medical officer will transport the patient to the appropriate medical facility;
* In non-emergency cases the prospective patient will call at the nearest clinic. If more specialised treatment is required, the medical officer who treats the patient will also provide a letter of referral to the district, secondary or tertiary hospital for further treatment.

The various HIV/AIDS and other health programmes can be accessed via the Department’s HIV/AIDS and Programme Development Directorates respectively.

For all services as well as for general enquiries, the public is referred to the comprehensive list of contact numbers in the white pages telephone directory.

1. **ARRANGEMENT ALLOWING INVOLVEMENT IN THE FORMULATION OF POLICY AND PERFORMANCE OF FUNCTIONS**

**SECTION 14(1)(g)**

Involving the public in policy formulation takes place in different ways, depending on the level of involvement desired or required. Methods of such involvement could include the following -

* Invitation in media reports to invite the public to comment on conceptual documents;
* Personal engagement with community-based, faith-based and non-governmental organisations which can represent the communities they serve;
* Official notification in government media, and in national, provincial and community newspapers;
* Notification in electronic media such as on radio and television;
* Manuals and guidelines.
1. **REMEDIES AVAILABLE IN RESPECT OF ACTS OR FAILURE TO ACT**

 **SECTION 14(1)(h)**

Legislation applicable to the Department may provide for an internal review or appeal procedure. Should this procedure be exhausted, or no provision be made for such procedure, a court may be approached for an appropriate order. Please refer to paragraph 6.3 above which sets out the internal appeal and court procedure that may be followed.

1. **ACCESSIBILITY AND AVAILABILITY OF THIS MANUAL**

**SECTION 14 (3)**

The English version of this manual is available for viewing at the physical address of the Deputy Information. The manual has been translated into the Afrikaans and Xhosa languages and is available for viewing on the Department’s website. The link to the website is as follows:

<https://www.westerncape.gov.za/dept/health/documents/guides/A/18901>

**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:

**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 an 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*. |

Full names and surname: Identity number: Postal address:

 Fax number: Telephone 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.* |

Full names and surname:

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, if 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 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 ‑** |
|  | 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 the images |  | copy of the images\* |  | transcription of the images\* |

|  |
| --- |
| **3. If 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\*(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? **A postal fee is payable.** | YES | NO |

|  |
| --- |
| *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 WHOSE BEHALF REQUEST IS MADE

**FORM B**

**NOTICE OF INTERNAL APPEAL**

(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

**[Regulation 8]**

|  |
| --- |
| **STATE YOUR REFERENCE NUMBER:**  |

**A. Particulars of public body**

The Information Officer/Deputy Information Officer:

**B. Particulars of requester/third party who lodges the internal appeal**

|  |
| --- |
| *(a) The particulars of the person who is lodging the internal appeal, must be completed below.**(b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.**(c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be stated at C below.* |

Full names and surname: Identity number:

Postal address: Fax number:

Telephone number: E‑mail address: Capacity in which an internal appeal on behalf of another person is lodged:

**C. Particulars of requester**

|  |
| --- |
| *This section must be completed ONLY if a third party (other than the requester) is lodging the internal appeal.* |

Full names and surname: Identity number

**D. The decision against which the internal appeal is lodged**

|  |
| --- |
| *Mark the decision against which the internal appeal is lodged with an "X" in the appropriate box:* |

|  |  |
| --- | --- |
|  | Refusal of request for access. |
|  | Decision regarding fees determined in terms of section 22 of the Act. |
|  | Decision regarding the extension of the period within which request must be dealt with in terms of section 26(1) of the Act. |
|  | Decision in terms of section 29(3) of the Act to refuse access in the form as requested by the requester. |
|  | Decision to grant request for access. |

**E. Grounds for appeal**

|  |
| --- |
| *If the provided space is inadequate please continue on a separate folio and attach it to this form.* ***You must sign all the additional folios****.* |

State the grounds upon which the internal appeal is based:

State any other information that may be relevant in considering the appeal:

**F**. **Notice of decision on appeal**

|  |
| --- |
| *You will be notified in writing of the decision on your internal appeal. 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****.*** |

State the manner:

Particulars of manner:

Signed at this day of 20

SIGNATURE OF APPELLANT

|  |
| --- |
| **FOR DEPARTMENTAL USE:****OFFICIAL RECORD OF INTERNAL APPEAL:**Appeal received on (date) by (state rank, name and surname of information officer/deputy information officer).Appeal accompanied by the reasons for the information officer/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the records, submitted by information officer/deputy information officer on (date) to the relevant authority.**OUTCOME OF APPEAL:**DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER CONFIRMED/SUBSTITUTED BY NEW DECISIONNEW DECISION:  DATE RELEVANT AUTHORITYDATE RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM THE RELEVANT AUTHORITY:  |

**FEES**

**Annexure A**GENERAL: VALUE-ADDED TAX

Public and private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value-added tax to all fees prescribed in this Annexure.

**PART I
FEES IN RESPECT OF GUIDE**

1. The fee for a copy of the guide as contemplated in regulations 2 (3) (*b*) and 3 (4) (*c*) is R0,60 for every photocopy of an A4-size page or part thereof.

**PART II
FEES IN RESPECT OF PUBLIC BODIES**

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.

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

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

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

|  |  |
| --- | --- |
|  |  |
|  | 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)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 |
| ( *f* )To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. |
| (2)For purposes of section 22 (2) of the Act, the following applies: |  |
| (*a*)Six hours as the hours to be exceeded before a deposit is payable; and |  |
| (*b*)one third of the access fee is payable as a deposit by the requester. |  |
| (3)The actual postage is payable when a copy of a record must be posted to a requester. |

**PART III
FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (*c*) is R1,10 for every photocopy of an A4-size page or part thereof.

2.

2. The fees for reproduction referred to in regulation 11 (1) are as follows:

|  |  |
| --- | --- |
|  |  |
|  | R |
| (*a*)For every photocopy of an A4-size page or part thereof | 1,10 |
| (*b*)For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | 0,75 |
| (*c*)For a copy in a computer-readable form on— |  |
| (i)stiffy disc | 7,50 |
| (ii)compact disc | 70,00 |
| (*d*)(i)For a transcription of visual images, for an A4-size page or part thereof | 40,00 |
| (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 | 20,00 |
| (ii)For a copy of an audio record | 30,00 |

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

|  |  |
| --- | --- |
|  |  |
|  | R |
| (1)(*a*)For every photocopy of an A4-size page or part thereof | 1,10 |
| (*b*)For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | 0,75 |
| (*c*)For a copy in a computer-readable form on— |  |
| (i)stiffy disc | 7,50 |
| (ii)compact disc | 70,00 |
| (*d*)(i)For a transcription of visual images, for an A4-size page or part thereof | 40,00 |
| (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 | 20,00 |
| (ii)For a copy of an audio record | 30,00 |
| ( *f* )To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation. |
| (2)For purposes of section 54 (2) of the Act, the following applies: |  |
| (*a*)Six hours as the hours to be exceeded before a deposit is payable; and |  |
| (*b*)one third of the access fee is payable as a deposit by the requester. |  |
| (3)The actual postage is payable when a copy of a record must be posted to a requester. |