GAUTENG DEPARTMENT OF HEALTH

Promotion of Access to
Information Manual



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SECTION 1

1. INTRODUCTION

- 1.1 The Promotions of Access to Information Act 2 of 2000(PAIA) came into effect in March 2001.
- 1.2 The purpose of this Act is to give effect to the constitutional right of access to any information held by the state and any information held by another person and that is required for the exercise or protection of any rights.
- 1.3 The Act aims to foster a culture of transparency and accountability in the public and private sector by giving effect to the right of access to information and actively promote a society in which the person of South Africa have effective access to information to enable them to more fully exercise and protect their rights.
- 1.4 In terms of section 14(1) of this Act, "the Information officer of a public body concerned must compile in at least three official languages a manual" that provides information regarding the subjects and categories of records held by such a body.
- 1.5 This manual is intended to fulfil such a requirement.
- 1.6 The manual provides an overview of records held by the Department of Health and the processes that needs to be adopted to access such records.
- 1.7 All requests for access to information (other than information freely available to the public) should be directed to the information officer as provided for in section 3 of this manual

SECTION 2

THE FUNCTIONS AND THE STRUCTURE OF THE DEPARTMENT OF HEALTH

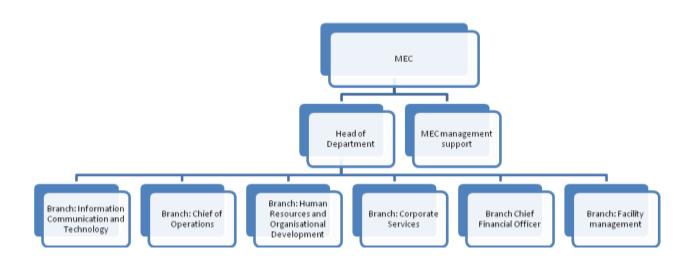
2.1 FUNCTIONS OF THE DEPARTMENT OF HEALTH

To provide Health Care Services.

2.2 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 6 (six) branches as depicted in Diagram 1 below:

Diagram 1: A schematic structure of Department of Health, Gauteng Province



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

- (a) City of Jo'burg
- (b) Westrand
- (c) Sedibeng
- (d) Ekurhuleni
- (e) Tswane

In terms of service delivery, the Department consists of about 33 Hospitals, 27 Health Centres, 402 Clinics,5 training colleges,1 medical supply depot,3 laundries and 5 vertical programmes which are supported by the Department.

SECTION 3.

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

INFORMATION OFFICER	ADDRESS
Dr E Kenoshi	37 Sauer Street
Acting HOD	Marshalltown
	Johannesburg
	2107

	Tel No : 011 355 3857
	Fax No: 011 355 3512
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	5.5
Ms. N Makhubele	37 Sauer Street
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	Johannesburg
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	Tel No: 011 355 3502
	Email: Nomsa. Makhubele@gauteng.gov.za
Dr. G Maseko	Chris Hani Baragwanath Hospital
	P.O. Box Bertsham
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	Tel No: 011 933 8312
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	2000
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Dr. F Kgongwana	Dr.Goerge Mukhari Hospital
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	Tel No: 011 488 4911
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	0001
	Tel No: 012 354 100
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Wisi S ser addir	Private Bag x 20
	Newclare
	2112
	Tel No:011 470 9000
	Email:sjordaan@icon.co.za
Dr. R Billa	Helen Joseph Hospital
DI. N DIIId	Private Bag 47
	Aucklandpark
	2006
	Tel No:011 489 1011/0570
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	Edenvale
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	1740
	<u>Tel:011</u> 411 3500
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	Email:Jatin.Ganda@gauteng.gov.za
Ms M Mokass	
Ms. M Mekgoe	Odi District Hospital

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	Email:Matilda.Mekgoe@gauteng.gov.za
Ms. R Mabyana	Bheki Mlangeni Hospital
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	Jabulani
	Soweto ,Kwa-Xuma
	1865
	<u>Tel:011</u> 241 5818
	Email:Ruth.Mabyana@gauteng.gov.za
Ms. M Lerutla	Tshwane District Health
	P.O.Box x9514
	Pretoria
	0001
	<u>Tel:012 451</u> 9000/9217
	Email:Meisie.Lerutla@gauteng.gov.za
General Information	
Physical Address	Street Address
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	Johannesburg
	Website: www.health.gov.za
	37 Sauer Street
	Marshalltown
	Johannesburg
	2107
	Tel No: 011 355 3000
	Fax No: 011 355 3086
	1 ax 110. U11 333 3000

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

The South African Human Rights Commission is to compile a guide, 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 will be available in all the official languages from the South African Human Rights Commission.

Any enquiries regarding this guide should be directed to:

The South African Human Rights Commission

33 Hoofd Street Braampark, Forum 3 Braamfontein 2198

The PAIA Unit

Telephone: 011 877 3600/3694

paia@sahrc.org.za

SECTION 4

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

4.1 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:

- Acts and Regulations
- Annual Performance Plans
- Annual Reports
- Approved Departmental Structure
- Brochures
- Budget speeches
- Circular for advertisement of posts
- Circular for advertisement of Tenders
- Departmental file plans
- Adverts
- Employment equity reports
- Labour Relations Agreements
- Library material
- MEC's Speeches
- News Letters
- Promotion of Access to Information Manual
- Public Service Application Forms (Z83)
- Quarterly reports
- Service Standards and Norms
- Staff contact details
- Strategic Plans

These automatic disclosures are available in the departmental internet site and the Departmental library which is situated at 37 Sauer Street, 15th floor, Bank of Lisbon Building

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

Subject	Records Catergories		
1. Communication	See automatic disclosure list (4.1) for most		
	items		
	generated by this function		
2. Communicable diseases,	Disease Surveillance reports		
epidemiology,	 Environmental impact assessment 		
expanded programme on	reports		
immunisation, environmental	- T		
health and occupational			
health			
3. District Health Services	District Health Plans		
	 Intergovernmental relations files 		
4. HIV/AIDS/STIS/TB	• Comprehensive Reports on HIV &		
	AIDS, STIs and TB.		
	 statistics on CCMT and ART 		
5. Human resource development and	 Organizational Structures 		
training	 Human Resources Development and 		
	Training Reports		
6. Human Resource Management	 Human resource management 		
	Recruitment Reports		
7. Information and records	 Health Information Management 		
management	Reports		
	Records management Services		
8. Information technology/	IT infrastructure Reports		
information systems	·		
9. Integrated primary health care	Primary Health Care Reports		
services	Patient files and reports		
10. Labour relations	 Code of conduct 		
	Statistics		
	Disciplinary cases		
11. Legal Services	 Lawsuits/litigation files 		
12. Mother and child, women's	• Reports on Maternal Health, child		
health nutrition	Health		
	 Nutrition and educational Reports 		
13. Nursing Education	 Nursing student files 		
	 Nursing services Nursing Care 		
	Services Reports and Files		
14. Pharmaceutical services	Medicines Consumption statistics		
TH. I Hai maccatical Sel Vices	• Wedicines Consumption statistics		
15. Physical facilities planning and	Building plans		

coordination	Infrastructure reports
16. Private-public partnership (PPP) • PPP project files	
17. Provisioning and contract management	Specifications and tender contractsAwards
18. Risk management	 Anti-fraud and corruption investigation files
19. Community Health workers services	 Grant Administration Reports and statistics
20. Strategic management and planning	 Strategic Planning Reports
21. Transformation and transversal services	Quality assurance reports
22. Transport and logistical support servicesTransport and Maintenance Reservices	
23. Emergency Medical Services • EMS reports	

Please note that requester of information will be required to sign a non-disclosure agreement on accessing information requested and Granted.

SECTION 5

HOW TO GAIN ACCESS TO RECORDS NOT AUTOMATICALLY DISCLOSED

5.1 TELEPHONIC AND EMAIL REQUESTS

Informal telephonic and EMAIL requests are permitted by the Department. Any such request made to the Deputy Information Officer at the telephone number OR email given in this Manual will be attended to unless the Deputy Information Officer indicates that the provisions of the Act must be carried out — in this case the request will commence with the completion of FORM A and payment of request and access fees if applicable.

5.2 VOLUNTARY ACCESS

Information that is automatically available – automatically available meaning without having to complete **FORM A** and paying the requester's fee – will be made available either at the offices of GDOH or in the manner requested, should this be reasonable and possible. The manner of access will include:

- **5.2.1** Perusal with copying of material if needed and at the prescribed fee for copies;
- **5.2.2** Access to visual, audio-visual material with transcription, dubbing, copying or both, if required.

5.3 REQUEST PROCEDURES SECTION 14(1) (d)

A Requester must be given access to a record of GDOH if the requester complies with the following:

- **5.3.1** The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- **5.3.2** Access to that record is not refused on any ground of refusal mentioned in the Act.

Nature of the request

- **5.3.3** A requester must complete the form similar to the one printed in the Government gazette (Government Notice R 187 -15 February-**FORM A**) ;(attached at the end of the Manual).
- **5.3.4** The requester must indicate the form or manner of access sought as prescribed by section 29;
- **5.3.5** GDOH will endeavour to give access in the form requested unless this would tamper with the smooth running of GDOH;
- **5.3.6** Giving access will give due consideration to preservation of material, infringement of copyright and request or access fees as prescribed must be paid before a request is processed and, search and preparation fees are also payable before access is given;
- **5.3.7** A requester representing another must give details of the capacity in which they act; s18 (2) (f)
- **5.3.8** A requester who cannot read nor write or needs assistance in completing a request form may present the request orally and the Deputy Information Officer is obliged to assist such a requester. **18**(3)

5.4 GROUNDS FOR REFUSAL

- **5.4.1** If the Information Officer fails to give the decision on a request for access to the requester concerned within 30 days after the request is received, the Information Officer is, regarded as having refused the request.
- **5.4.2** The Information Officer may refuse a request for access to a record if the work involved in processing the request would substantially and unreasonably divert the resources of the DOH.

- **5.4.3** The information officer may refuse a request to access a record if such access contravenes confidentiality of another person.
- 5.4.4 If a record does not exist

5.5 MANDATORY DISCLOSURE IN THE INTEREST OF THE PUBLIC

Despite any other provision in PAIA, the Information Officer must grant a request for access to a record of GDOH if:

- **5.5.1** the disclosure of the record would reveal evidence of
 - a substantial contravention of, or failure to comply with the law; or
 - an imminent and serious public safety or environmental risk; and
- **5.5.2** the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question.

5.6 RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

- **5.6.1** If all reasonable steps have been taken to find a record requested and there are reasonable grounds for believing that the record is in GDOH's Possession but is lost or damaged or does not exist then the Deputy Information Officer must by way of an affidavit notify the requester that it is not possible to give access to that record.
- **5.6.2** The affidavit must give a full account of all steps taken to find the Record in question or to determine whether the record exists, including Communicating with every person who conducted the search on behalf of the Information Officer.

5.7 PAYMENT OF FEES IN TERMS OF THE REQUEST

- **5.7.1** A requester who seeks information on records about himself or herself or next of kin or if the information is about a deceased individual, is exempted from paying request and access fees but shall pay fees for copies and postage
- **5.7.2** A requester who seeks information on records about another person must produce consent, proof of identity and an affidavit or power of attorney in order for such request to be processes.

5.7.3 Request Fees

- **5.7.3.1** Every other requester, who is not a personal requester, must pay the required request and access fee:
- **5.7.3.2** The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request;
- **5.7.2.3** The request payable to public bodies is R35.00.
- **5.7.2.4** 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;

5.7.2.5 If the request 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.

5.8 PAYMENT METHOD

Every requester who is not a personal requester must pay the required request Fee. The requester must deposit the request fee into GDOH's bank account (details of which will be given to the requester by GDOH). The proof of the deposit slip must be forwarded to GDOH's Deputy Information Officer before any request can be processed or records can be accessed.

DETAILS OF GDOH'S BANK ACCOUNT:

Bank: First National Bank

Account Holder: Department of Health

Account Number: 62298155782

Branch Code: 255005

It is important to note the provisions of **section 22(1)** of the Act to the effect that no request

may be processed unless a request fee is paid.

See attached fee schedule prescribed by PAIA at the end of the Manual

6. SERVICES OFFERED BY THE DEPARTMENT TO THE PUBLIC

6.1 NATURE OF SERVICES

Clinical Healthcare and treatment

Rehabilitation and Mental Health care Provision of District Health and Primary Health Care Services

Emergency Medical services

Patient Transport
Disaster response
Medical rescue services

Health Care Services

Disease Prevention, Treatment and Control Environmental and Port Health Services Forensic Pathology and Medico Legal Maternal Child and Women Health Nutrition

Provision of Health Science and Training

Nursing Education Emergency Medical Care

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

Where a requester is not satisfied with any decision taken by the Information Officer or Deputy Information Officer in the Department of Health, A Requester May appeal to the MEC of Health:

Dr Gwen Ramokgopa (MPL), 37 Sauer Street Marshalltown Johannesburg 2107

8. 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.

9. PRESCRIBED FEES FOR THE DEPARTMENT

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

9.1 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.

The fees for reproduction referred to in regulation 9.1 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	0,40
computer or in electronic or machine – readable form	
(c) For a copy in a computer-readable form on:	40,00
i) compact disc	5,00
ii) Email – PDF format	
(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 ii) For a copy of an audio record	12,00 17,00

- 9.2 The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00
- 9.3 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	0,40
computer or in electronic	
or machine – readable form	
(a) Fan a convince consistent and debte forms on	
(c) For a copy in a computer-readable form on:	5.00
I) email - PDF	5,00
ii) stiffy 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	12,00
thereof	17,00
ii) For a copy of an audio record	
(f) To search for and prepare the record for disclosure, R15, 00 for each	R15 per hour
hour or part of an hour, excluding the first hour, reasonable required for	
such search and preparation.	
(g) Access fees for medical reports and copies of medical records will be	Government
published and gazetted in terms of hospital ordinance Act no 4 of 1999	gazette
yearly	

Postage Fees are as follows:

Envelope Size		Ordinary mail	Fast mail	Registered mail
Small		R5,00	R7,00	R20,00
Medium		R7,30	R12,25	R23,00
Large		R11,00	R17,00	R27,00
cylinder records	rolled	R18,00	R26,00	-

10. PRESCRIBED FORM FOR ACCESS TO A RECORD OF THE DEPARTMENT

See annexure B



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

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 and Full names, Identity number, Postal address, telephone number, fax. Numbered, E-mail address, capacity in which a request is made.

C. Particulars of person on whose behalf a request is made

This section	must b	be completed	only if	a request	for	information	is	made	on	behalf	of
another											
Person.											
Full Names S	urnama	`									

Full Names Surname

Identity number

Capacity in which request is made/relationship to original requester of record, when made on behalf of another person:

.....

D. 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.

Mark the appropriate box with an "X"

Disability. Fortiff in which records is required	Disability:	Form in which records is required	
--	-------------	-----------------------------------	--

- (a) 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.
- (b) 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. Description of record or relevant part of the record, Reference number, if available, any further particulars of record or estimated time when a records could have come into existence.

E. Fees

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

1. If the record is in written or printed form

<u> </u>	
Copy of record	Inspection of Records
COP C CCC. G	111000000000000000000000000000000000000

2. If record consists of visual images-

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

٧	/iew Images	Copy of images	transcription of images	
_				

3. If the record consists of recorded words or information which can be reproduced in sound-

Listen to the soundtrack	Transcription of soundtrack*
(audio cassette)	(written or printed document)

4. If record is held on computer or in an electronic or machine-readable form-

printed Copy of a Record	printed Copy of information	Copy in computer readable
	derived from a record	form

			(PDF o	or compact d	isk)
*If you requested	a copy or transcrip	tion of a record (abo	ove), do	Yes	No
you wish the copy	or transcription to	be posted to you?			
A postal fee is pay	yable.				
		le in the language y	ou prefer, ac	cess may be	granted in
	hich the record is a				
In which language	would you prefer t	the record?			
G. Notice of decis	ion regarding requ	est for access			
	• • •	er your request has	been appro	ved/denied.	If vou wish
	nereoi ili anolilei	IIIaiiiici, bicase sh	CCIIV LIIC III		provide the
to be informed t		oliance with your red			provide the
to be informed t necessary particul	ars to enable comp	oliance with your red	quest.		
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to be informed t necessary particul How would you p the record?	ars to enable comp	oliance with your red	quest. egarding you	ır request fo	
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to be informed t necessary particul How would you p the record?	ars to enable compression of the	oliance with your red	quest. egarding you	ır request fo	