

20 February 2018

For Attention: Public Servants Co-ordinating Bargaining Council

RE: E-disclosure for psychologists employed in the Public Service

The Psychological Society of South Africa (PsySSA) has noted with concern the implementation of e-disclosure in line with the Public Servants Regulations of 2016, which came into operation on 1 August 2016. In terms of this legislation, psychologists employed in the public service (from salary level 11 and upwards) are expected to disclose their financial interests online. Recently, psychologists and other health care practitioners have received letters threatening disciplinary action for non-compliance.

A number of concerns with the e-disclosure system are outlined below:

1. It is unclear what consultation processes were followed in determining the need for and nature of financial disclosure in line with government anti-corruption efforts.
2. Given the apparent corruption and looting of state resources at high levels of government, it is ironic that psychologists (the majority of whom have no role in procurement processes/budgeting/finances) are now expected to make full financial disclosure.
3. The South African Revenue Services have access to the majority of the requested financial information at any given time, and also have the resources and structures in place to guarantee the security of this information. It is therefore unclear why a second reporting process is required.
4. The extent of information required by the e-disclosure form is an invasion of privacy as envisioned in the Constitution of the Republic of South Africa, and is not in line with the Protection of Personal Information Act (2013), which states that "Personal information may only be processed if given the purpose for which it is processed, it is adequate, relevant and not excessive" and "Personal information can only be processed if the data subject...consents to the processing".
6. The process of e-disclosure implies that public servants specifically in the designated salary levels cannot be trusted, which has legal ramifications.

7. The communication of the regulations to public servants has been inadequate and inconsistent across provinces. Some psychologists have not heard of e-disclosure, whilst in other settings, psychologists are being threatened with disciplinary action.
9. There is no guarantee that security measures are in place to safeguard financial information required by the e-disclosure system. Moreover, given the worldwide breaches of security through hacking, what efforts have been made to ensure that the financial information of psychologists will be securely maintained; and what efforts have been made to communicate this information to employees in the public service?
10. PsySSA is aware that the South African Medical Association (SAMA) has also raised concerns regarding e-disclosure which have been brought to the attention of the PSCBC.

While PsySSA supports efforts to address corruption and promote good governance, given the serious concerns outlined above, the Psychological Society of South Africa supports psychology professionals in the Public Service who choose not to participate in the e-disclosure process.



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