

# ReLPAG

## Recognition of Lifelong Learning in Psychology Action Group

Email: [Relpag1@gmail.com](mailto:Relpag1@gmail.com)  
Tel: 0711734963

34 Drummond Road, West Beach, Blouberg,  
Cape Town 7441

---

### ReLPAG statement on the current Scope of Practice, 6 July 2019

1. ReLPAG is an organisation that represents Educational, Counselling and Industrial Psychologists. The ReLPAG Executive Committee also consists of representatives of the various psychological disciplines. Furthermore, ReLPAG cooperates with EPASSA, CPSA and Siopsa, organizations representing the various individual psychological groups per se.
2. ReLPAG challenged the Scope of Practice (SoP) after it was promulgated as it unfairly narrowed and restricted the field of practice of Educational, Counselling and Industrial Psychologists in favour of a single group, namely Clinical psychologists.
3. The Scope of Practice promulgated in 2011, was not only restrictive to three groups of psychologists who were registered according to the registration criteria of the HPCSA and the Mental Health Act, Act 56 of 1974, but also had the effect in many cases of depriving the public of their choice to attend and consult a therapist they had either been working with or wanted to consult, and inter alia, a therapist of their choice in the area where they live and work. Communities in the rural areas were hardest hit by the stance of the HPCSA on the SoP, as their choices were limited and they often had to travel long distances to be able to consult a psychologist they were limited to under the SoP. Furthermore, it affected service provided to medical aid members as various funds made use of the SoP in order to refuse payment to non-clinical psychologists, resulting in members access to psychological services being restricted, with children suffering most of all.

4. The SoP brought tension, unrest and bitterness, but more so divisiveness between psychologists and colleagues who have been working together in harmony for many years.
5. Many registered Counselling, Educational and Industrial Psychologists were financially and professionally brought to their knees as in various circles they were now regarded as second class mental health professionals who did not have the expertise to treat their clients and patients competently and effectively despite their demonstrable training, experience and competency.
6. Psychologists were reported to the HPCSA as practising out of scope of practice. Some even lost their homes, practices and livelihoods. Worst of all some of these complaints pursued by the HPCSA were anonymous. Many competent, experienced and well-trained psychologists were lost to the profession and the public at large as they left the country in droves to practice elsewhere in the world where they were welcomed with open arms.
7. ReLPAG pursued the matter and brought an application to the Western Cape Division of the High Court of South Africa to have the regulations declared invalid. During November 2016 the Minister of Health conceded the Scope of Practice Regulations had been incorrectly promulgated and the regulations were consequently declared invalid.
8. The court suspended the declaration of invalidity for two years in order to allow the Minister of Health to rectify the situation. ReLPAG contacted the office of the Minister of Health in June 2018 in anticipation of the lapsing of suspension of the order of invalidity to determine progress of the Minister regarding promulgation of updated regulations, only to find that the Minister was not ready to promulgate the required regulations. ReLPAG requested that timeous indication be given of any application for extension of the suspension of the order of invalidity but this was never responded to. The Minister then brought an urgent application for an extension in the

---

(1) Nomine Officii: In this and every other document, this abbreviation indicates that this executive member of ReLPAG is acting in the capacity as executive member and are in total not responsible and therefore indemnified in his personal capacity

Western Cape Division of the High Court of South Africa. This was done in bad faith at the very last moment and ReLPAG was given only 24 hours to submit an opposing motion.

9. ReLPAG opposed the application of the Minister of Health, The Hon. Mr Justice Le Grange allowed the Minister of Health an extension of 6 months until 9 May 2019, but took the extraordinary step of awarding costs to ReLPAG.
10. By 9 May 2019 the Minister of Health had still not promulgated updated regulations and ReLPAG was informed by its legal team, *“ As will be seen from the first Court Order the Order of invalidity in respect of the September 2011 regulations was suspended for a period of 24 months, which in terms of the second Order was extended for a further 6 months to the 9<sup>th</sup> of May 2019. Those 6 months are now up and therefore the suspension lapses and the regulations of 2011 are no longer applicable. In the result, the legal position is as it was before September 2011.”*
11. ReLPAG and various members in their individual capacities also unsuccessfully approached the HPCSA and the Professional Board of Psychology (PBP) on the status of the Scope of Practice in light of it remaining on the PBP website, which is regarded as misleading.

Prof Charles Young, a Counselling Psychologist, and member of the PBP, was approached in this regard as neither the Chairman of the PBP, nor the PBP itself responded to requests for information with reference to the current status of the SoP. In an e-mail dated 6 July 2019 at 12h47 Prof Young (e-mail details withheld for privacy purposes) responded to a member of ReLPAG as follows: *“But what I can tell you is that the 2011 regulations are now **invalid** (ReLPAG emphasis). The High Court judgment of November 2016 delayed the declaration of invalidity for two years for the Board to promulgate new regulations or simply allow the existing ones to lapse. The Minister obtained a 6-month extension, but new regulations were not promulgated and so in May this year the existing ones lapsed. **They no longer have any force of law.** (ReLPAG emphasis)”*

---

(1) Nomine Officii: In this and every other document, this abbreviation indicates that this executive member of ReLPAG is acting in the capacity as executive member and are in total not responsible and therefore indemnified in his personal capacity

12. Prof Young refers members of ReLPAG to the June 2019 minimum training standards drafted in June 2017 for intern-counselling psychologists indicating the required outcomes before they can register as counselling psychologists. ReLPAG specifically draws attention to the following:

(1) Page 3: *“The recognition of prior learning (RPL) is within the ambit of higher education institutions. However academic and training programmes have to satisfy the minimum requirements and competencies stipulated by the Board.”* These are then set out – comment by the undersigned.

(2) Page 4: The following exit level outcomes (ELO) must be achieved by the applicant to be awarded the qualification of Counselling Psychologist.

### **1. Psychological Assessment**

- a) Knowledge of psychological measurement and psychometric theory, including the ability to judge the reliability and validity of psychometric tests in different social contexts and for different social groups.
- b) Knowledge of a range of psychological issues and problems, including life stressors and more severe issues with which people may struggle as individuals, families, groups, communities and organisations, including developmental and adjustment problems, psychological crises, and mental and behavioural disorders.
- c) Competence using ICD and DSM diagnostic systems to diagnose mental and behavioural disorders, as well as knowledge of informed critiques of such systems.
- d) Ability to conduct a comprehensive intake interview to obtain a detailed history and coherent description of the client’s (individuals, couples, families, groups, communities or organisations) psychological functioning.
- e) Ability to appropriately select and accurately administer culturally sensitive instruments and norms to assess intellectual, behavioural, emotional, personality, neuropsychological and career functioning.
- f) Ability to accurately interpret and integrate data from intake interviews, records, psychometric assessments and other sources to generate coherent case conceptualisations (formulations) that describe and explain clients’ (individuals, couples,

---

(1) *Nomine Officii*: In this and every other document, this abbreviation indicates that this executive member of ReLPAG is acting in the capacity as executive member and are in total not responsible and therefore indemnified in his personal capacity

families, groups, communities or organisations) psychological functioning, including their strengths and resources, and recognising the influence of sociocultural contexts.

g) Ability to formulate useful recommendations, including, when appropriate, clear and specific recommendations for psychological interventions.

h) Ability to communicate the results and recommendations of assessments in written and verbal form clearly, constructively and accurately.

**i) Ability to offer a well-supported medicolegal opinion and appropriate expert testimony when required. (ReLPAG emphasis)**

13. ReLPAG trusts that this will put the current status into perspective. A copy of the 2008 status document is attached for easy reference. The essence of this document, in the light of the declaration of invalidity of the 2011 Scope of Practice Regulations, is that there is no restriction on a psychologist to practice his/her profession once registered with the HPCSA according to the regulations as set out

Kind Regards

*Anne-Marie Rencken, no*

**ReLPAG, Chairperson**