

# Access to information

## and the right to health and health care

Access to  
information

Access to  
health care  
services

Access to  
adequate  
housing

A healthy  
environment

Access to  
social security

Lawful, fair  
administrative  
actions

Dignity,  
equality and  
life

Basic  
education

Personal  
freedom and  
security

Freedom  
of religion,  
belief and  
opinion

Stand Up! · Speak Out! · Do Something!

**Good Health  
is your right**

# What is access to information?

Access to information is your right to know

## **Why should you have a right to know?**

When you know your rights you can fight for them.

When you know your rights you can share them with others.

When we all know our rights we can all join together to fight for them.

## **Why should you have access to information?**

Access to information is the first step to making human rights work in our society.

Access to information is the first step to making the right to health and health care work in our society.

Access to information is important for accountability and transparency.

When there is no accountability and transparency, there may be conflict and distrust.

## **What does the South African Constitution say about your right to know and access to information?**

Section 32 says that everyone has the right of access to:

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

The Bill of Rights forces government to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the State.

*Transparency means openness.*

*In a democracy you have the right to ask questions about certain policies or decisions made by government*

**Accountability:**  
*individuals, organisations, government and the community are responsible for their actions and should be able [may be required] to explain them to others.*



# What legislation concerns your right to know and access to information?



## Promotion of Access to Information (Act No 2, 2000) aims to

- promote transparency and accountability in the public as well as the private sectors
- provide ways for you to access information
- balance the right to access information with the right to confidentiality and privacy

## Protected Disclosures Act (Act No 26, 2000) encourages people

- to raise concerns – to blow the whistle about wrongdoing in the workplace, such as financial wrongdoing, stealing of medication, discrimination against patients, or unfair dismissal
- to help make sure that organisations address the problem
- to help make sure organisations resist the temptation to cover up malpractice.

## National Health Act (Act No 61, 2003) tells Government

- what it should do to make real the right to health and health care.

## What does the NHA say about your right to know and access to information?

### The NHA states that

1. The health care provider must inform the users of the services, where possible, in a language and in manner that the user understands
2. You have a right to know about the health services:
  - The types and availability of health services
  - The organisation of health services
  - Operating schedules and timetables for visits
  - Procedures for access to health services
  - Procedures for laying complaints
  - Rights and duties of users and health care providers
3. You have a right to know about treatment:
  - The information about your health and treatment options
  - That you can refuse treatment
  - That you must be informed before you are asked to consent to treatment or care by a health service provider
  - That you can participate in decisions about your care
  - That you should be provided with a written report when you are discharged from a health facility
  - That you should have access to your personal information
  - That your medical records are kept confidential



For more information please contact:

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1. The right to health
2. Community involvement and the right to health
3. The patients' rights charter
4. Individual and collective rights in public health
- 5. Access to information**
6. Rights and resource allocation



People's Health Movement



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