



Minister Lindiwe Zulu

The Minister of Social Development

Per Email: LintonM@dsd.gov.za
JudyB@dsd.gov.za
ZamaK@dsd.gov.za

Ms B Memela

Chief Executive Officer

South African Social Security Agency (SASSA)

Per Email: DianneD@sassa.gov.za

Dr Z L Mkhize

Minister of Health

Per Email: Keitumetse.Mngadi@health.gov.za
minister@health.gov.za
Emsie.Grundling@health.gov.za

2 July 2020

Dear Ministers and Ms Memela,

SUSPENSION OF NEW GRANT APPLICATIONS FOR DISABILITY, CARE DEPENDENCY AND GRANTS IN AID UNDER COVID-19 REGULATIONS

1. We write on behalf of Medicins Sans Frontieres (MSF) South Africa and thirteen applicants who have been denied the right to have access to social security during the Covid-19 lockdown period. A list of these applicants are attached as “**Annexure A**”.
2. On 30 March 2020 the Minister of Social Development issued Directions in terms of Regulation 10(5) of the Regulations made under Section 27(2) of the Disaster Management Act on measures to prevent and combat the spread of Covid-19. Section 6(1) provides directions relating to the South African Social Security Agency (SASSA) and states the following:

- (i) *All SASSA local offices will be closed during the lockdown period and the management of these offices must be part of the pay-point monitoring teams;*
 - (ii) *Payment of social grants must continue unhindered during the lockdown period;*
 - (v) *Temporary disability grants whose date of lapsing fall during the lockdown period must be deemed to have not lapsed during this period*
 - (vi) *Social grants not claimed for three consecutive months may not lapse during the lockdown period.*
- 3. As the country entered Lockdown Level 4, on 10 May 2020 the Minister published an Amendment to the Directions Issued in terms of Regulation 4(5) of the Regulations made under Section 27(2) of the Disaster Management Act. This Amendment altered the operations of SASSA as follows:
 - (i) *SASSA offices will be progressively opened for limited services in line with a risk adjusted approach.*
- 4. These Directions also extended the duration of temporary disability grants which would have otherwise lapsed and made provision for electronic lodging of social grant applications:
 - (viii) (aa) *An application for social relief of distress or a social grant may be lodged electronically over and above any other available means of lodging such applications.*
 - (bb) *Notification of the outcome of an application for social relief of distress or a social grant may be given by means of an email, an sms or any such other method.*
- 5. Despite the amended Directions allowing for the progressive opening of SASSA services, as well as making provision for the lodging of alternative forms of grant applications, we are advised that applications for social grants requiring a medical assessment are currently not being processed by SASSA. These grants impact on some of the most vulnerable persons and include the disability grant, care dependency grant and grant-in-aid.
- 6. On 10 May 2020 email correspondence was received from Ms Dianne Dunkerley from the SASSA office indicating that SASSA has suspended the processing of disability

grant applications during the Covid-19 lockdown. The reason given was initially due to offices being closed, and under Level 4 due to not being able to send potential applicants for medical assessments as *'access to health facilities is extremely limited.'* A copy of the email correspondence is attached as **“Annexure B”**.

7. On 14 May 2020, MSF and other civil society organisations addressed correspondence to the CEO of SASSA outlining concerns with the decision not to process new disability grant applications and containing suggestions to adapt the grant application process so that such persons may still be able to access social assistance. This letter is attached as **“Annexure C”**. To date, no substantive response has been received.
8. According to Section 27 of the Constitution, everyone has the right to social security. Section 4 of the Social Assistance Act further requires that the Minister of Social Development make available a care dependence grant; disability grant and grant-in-aid.
9. In light of the lowering of lockdown levels, expanded health services are currently available which should not hinder access to medical assessments for the purpose of new grant applications. The blanket decision to suspend all grant applications for disability related grants unjustifiably infringes on the rights of some of the most vulnerable members of society who are incapacitated from being able to earn an income due to illness. We also note the gendered burden of care and that women are most likely to be caregivers of persons and children with disabilities. The inability to apply for a disability grant therefore disproportionately impacts on such women. This position is exacerbated by the state of the economy under the Covid-19 pandemic.
10. In light of the above, we request the following:
 - 10.1 That immediate steps are taken to initiate the SASSA disability grant application process for the grant applicants listed in Annexure A and other similarly placed persons;
 - 10.2 Indicate whether the current SASSA policy or practice is indeed that new grant applications requiring a medical assessment is suspended and reasons thereof; and
 - 10.3 If such grant applications are indeed suspended, that such suspension immediately be rescinded so that new grant applications requiring medical assessments are processed and that this decision be publically communicated in the form of amended directions or other official communique.

We trust that you will appreciate the urgency of this matter and we look forward to receiving your response by 6 July 2020. Should you have any queries, kindly contact us.

Yours sincerely,



Ektaa Deochand

SECTION27

deochand@section27.org.za

ENDORSED BY:

Black Sash

Treatment Action Campaign

TB Proof

Cancer Alliance

Rural Health Advocacy Project

Peoples' Health Movement South Africa

Sexual and Reproductive Justice Coalition

Public Service Accountability Monitor (PSAM)

Healthy Living Alliance (HEALA)

Women's Legal Centre

Studies in Poverty and Inequality Institute (SPII)

Triangle Project

Public Health Association of South Africa (PHASA)

ANNEXURE B

From: Dianne Dunkerley [<mailto:DianneD@sassa.gov.za>]
Sent: Monday, 18 May 2020 9:22 AM
To: MSFOCB-Capetown-DeputyHom
Subject: RE: request for assistance with grants for DR TB patients

Dear Sir,

As explained in my earlier mail, the decision to limit services at our local offices is a SASSA operational decision, which is informed by government directives for staff availability, need to manage queues of people at our local offices to meet the hygiene protocols and inability to access health facilities for assessments.

These requirements are constantly being monitored, so that we can adjust as and when necessary. Your recommendations will be discussed with the management team and a response provided. However, as explained, the various dependencies have to be taken into account as well.

Kind regards

Dianne Dunkerley
Executive Manager: Grants Administration
South African Social Security Agency (SASSA)
Tel: 012 400 2066
Mobile: 083 289 5594
Email: DianneD@sassa.gov.za
Web: www.sassa.gov.za

SASSA
SOUTH AFRICAN SOCIAL SECURITY AGENCY

Social grants beneficiaries **do not have to withdraw all their funds** in one day or the first day of the month.

Funds can be **withdrawn on different days** throughout the month in accordance to the beneficiaries needs.

For more information contact, Customer Care: 012 400 2322 / Toll free: 0800 60 10 11

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#SASSACARES

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Department of Social Development
SASSA
NDB

SASSA News  @OfficialSASSA 

From: MSFOCB-Capetown-DeputyHom [<mailto:MSFOCB-Capetown-DeputyHom@brussels.msf.org>]
Sent: Monday, 18 May 2020 9:11 AM
To: Dianne Dunkerley; zamak@dsd.gov.za; MonicaZ@dsd.gov.za; LumkaO@dsd.gov.za
Subject: RE: request for assistance with grants for DR TB patients

Dear Ma'am,

Many thanks for your reply to our email.

So just to clarify: the directive to discontinue new grant applications for disability grants was a DSD

decision? In which case, yes, please direct our response to the appropriate channels within DSD. This is a matter of grave urgency. Every day that a DR-TB patient, for example, has to choose between continuing her job and recuperating puts her (and her co-workers) at significant risk.

Kind regards,

Vinayak

From: Dianne Dunkerley [<mailto:DianneD@sassa.gov.za>]

Sent: Saturday, 16 May 2020 6:07 PM

To: MSFOCB-Capetown-DeputyHom; zamak@dsd.gov.za; MonicaZ@dsd.gov.za; LumkaO@dsd.gov.za

Subject: RE: request for assistance with grants for DR TB patients

Dear Sir,

Receipt of your mail is acknowledged.

SASSA welcomes the suggestions made and will certainly take these into account as we constantly review the services we are able to render. We will also engage with the Department of Social development as any change to the regulatory environment is their responsibility.

We will keep you updated.

Kind regards

Dianne Dunkerley

Executive Manager: Grants Administration

South African Social Security Agency (SASSA)

Tel: 012 400 2066

Mobile: 083 289 5594

Email: DianneD@sassa.gov.za

Web: www.sassa.gov.za

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Department of Social Development
NDA
NDP

SASSA News

@OfficialSASSA

From: MSFOCB-Capetown-DeputyHom [<mailto:MSFOCB-Capetown-DeputyHom@brussels.msf.org>]

Sent: Thursday, 14 May 2020 5:05 PM

To: Dianne Dunkerley; zamak@dsd.gov.za; MonicaZ@dsd.gov.za; LumkaO@dsd.gov.za

Subject: RE: request for assistance with grants for DR TB patients

Dear Ms Dunkley,

Please see attached a collective response from MSF, with the endorsement of the mentioned civil society organisations.

Kind regards,

Vinayak Bhardwaj
Deputy Head of Mission
(South Africa & Lesotho)

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From: Dianne Dunkerley [<mailto:DianneD@sassa.gov.za>]
Sent: Sunday, 10 May 2020 5:02 PM
To: MSFOCB-Capetown-DeputyHom
Cc: 'Hoodah Abrahams-Fayker'; 'Thandiwe Zulu'; Lynette | Blacksash
Subject: RE: request for assistance with grants for DR TB patients

Dear Sir

Receipt of your mail addressed to the Black Sash is acknowledged.

SASSA has had to suspend the taking of disability grant applications during lockdown. Initially it was because our offices were closed, as the administration of social grants is not seen as an essential service. However, under level 4 lockdown restrictions, we are unable to send potential applicants for medical assessments, as access to Health facilities is extremely limited.

However, in order to assist with those clients who were in receipt of temporary disability grants which expired just prior to lockdown, we have received authority to reinstate the temporary disability grants which expired in February and March and keep them in payment until end October, so that the re-application process can be done. Those grants which should have expired in April and May, as well as those which are due to expire in June will not expire, but will remain in payment until end October. This will help manage people who are unable to be attended to now.

The reinstatement and payment of those who have been without income from March to May will be finalised and they will be paid before end May.

We do apologise for any inconvenience. If you are aware of any specific challenges, please send them to me so that I can see how we are able to assist, within the limited services we are able to offer at this stage.

Kind regards

Dianne Dunkerley
Executive Manager: Grants Administration

South African Social Security Agency (SASSA)

Tel: 012 400 2066

Mobile: 083 289 5594

Email: DianneD@sassa.gov.za

Web: www.sassa.gov.za



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SASSA News



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ANNEXURE C

Chief Executive Officer

South African Social Security Agency

Dear Ms Memela,

Re: Decision to suspend new grant applications for disability, care dependency and grants in aid

We thank you for your timely response to our query regarding the suspension of applications or related activities for any grant which requires a medical assessment (including temporary disability grants, care dependency grant and grant in aid). At the outset, we would like to acknowledge your agency's efforts in rising to the challenge of providing relief to millions of households at this critical time, and for adapting your functions to continue providing this vital service.

We also acknowledge your response to our query, in which you outlined the reasons for suspending the grants noted above, citing the current Covid pandemic which has reduced access to health facilities where medical assessments are conducted.

While we fully appreciate the challenges faced both by over-worked medical staff who must assess the disability in order to ensure individuals qualify for disability grants, as well as the risks for patients in accessing facilities during the pandemic, we respectfully disagree with the blanket decision to suspend all grant applications for disability, care dependency and grants in aid.

Indeed, we are concerned that this action will negatively impact on some of the most vulnerable members of our society at a time when illness incapacitates them from being able to earn an income, when our support for them should increase significantly.

It is also not the case that it is completely impossible to conduct medical assessments for disability during the Covid-19 pandemic.

Measures must be taken to adapt the grant application process to the Covid-19 pandemic, rather than shutting it down entirely. Possible ways to do this might include:

- Allowing and empowering DOH doctors to do the medical assessment for patients under their direct care, who attend clinics in the time of COVID for required medical follow up or drug refills. Medical assessments for temporary/disability grants could be integrated into these clinical visits thus not resulting in any additional visits. Indeed, many potential beneficiaries of the disability grant would ordinarily be attending clinic for repeat visits and thus the disability assessment could be integrated into these visits. To further support DOH doctors – in a time when they are facing increased workload, assessment paperwork or submissions could be further simplified (eg. With the option of electronic submissions of assessments).

- Ensuring that some conditions, such as Drug Resistant-TB, where infection control and drug-toxicity almost inevitably results in incapacity to work, automatically qualify patients for disability grants, without a further medical assessment.
- Some assessments could be conducted outside of facilities through the establishment of mobile clinics or gazebo tents outside hospitals, with dedicated timeslots and SASSA medical staff allocated to conduct the assessments at specific times to minimize COVID transmission and divert this workload from clinic facilities.
- In the same way that department of health has amended telemedicine regulations to allow for telephonic or virtual consultations, assessments of patients medical conditions and incapacity assessments could be made for some individuals who have access to such technology, – with confirmatory analyses done by community health workers conducting home visits if needed.
- In the same way that we are decentralizing pick-up points and community-based screening and testing for various health conditions, we can similarly work to ensure that disability assessments are conducted in communities where persons with disabilities are located, thus avoiding their having to travel to medical facilities putting them at risk of contracting Covid-19.

Failing to do so poses significant risk that some patients with potentially remediable health conditions such as DR-TB, advanced HIV with comorbidities may resist seeking treatment in the absence of a guarantee of income support, for fear that they may lose their jobs – and meager income – at a time when they need it most. If anything, this is a time to redouble our efforts towards those facing disabilities. We therefore urge you to revisit this decision and to do so expeditiously.

Sincerely,

Medicins Sans Frontieres (MSF)
Section 27
Treatment Action Campaign
Black Sash
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