

## **MEMORANDUM OF UNDERSTANDING**

Entered into by and between

### **SOCIETY FOR EDUCATIONAL PSYCHOLOGY OF SOUTH AFRICA**

(Hereinafter referred to as "SEPSA")

(Herein represented by (ELIZABETHA JOHANNA MAGDALENA MATTHEWS), in HER capacity as the Chairperson)

And

### **EDUCATIONAL PSYCHOLOGY ASSOCIATION OF SOUTH AFRICA**

(Hereinafter referred to as "EPASSA")

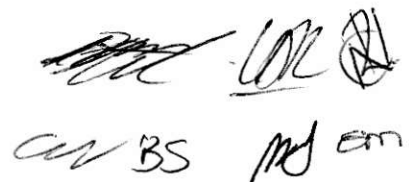
(Herein represented by (VANESSA PAULA GAYDON), in HER capacity as the (CHAIRPERSON)

And

### **SOUTH AFRICAN SCHOOL PSYCHOLOGISTS ASSOCIATION**

(Hereinafter referred to as "SASPA")

(Herein represented by (BRANDON SWANEPOEL), in HIS capacity as the (CHAIRPERSON)

  
Handwritten signatures of the representatives of the three associations: SEPSA, EPASSA, and SASPA. The signatures are written in black ink and are located in the bottom right corner of the document.

## **1. PREAMBLE**

- 1.1. WHEREAS it is recognised that SEPSA is a division of PsySSA that represents its constituents;
- 1.2. AND WHEREAS it is recognised that EPASSA is the largest, independent, representative body that provides a forum for educational psychologists to share ideas, promote their work, maintain and protect the interests of the profession and strive for contextually appropriate service delivery, and represents its constituents and the profession of educational psychology;
- 1.3. AND WHEREAS it is recognised that SAPSA represents its constituents who are school psychologists drawn from different categories of psychology;
- 1.4. AND WHEREAS it is accepted that EPASSA and SASPA do not intend to bind themselves to any decisions or representations made by PSYSSA as a psychological association;

**NOW THEREFORE THE PARTIES HEREBY AGREE AS FOLLOWS:**

## **2. INTERPRETATIONS AND DEFINITIONS**

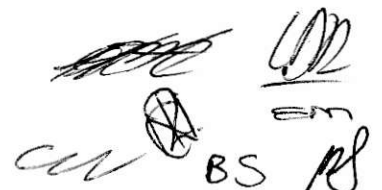
In this MOU, unless the context indicates otherwise:

- 2.1. The headings to clauses of this MOU are inserted for reference purposes only and will not govern or affect the interpretation thereof;
- 2.2. Any Annexures to this MOU form an integral part hereof and words and expressions defined in this MOU shall bear, unless the context otherwise requires, the same meaning in such Annexures;
- 2.3. Unless the context clearly indicates a contrary intention, words importing the singular shall include the plural and vice versa;
- 2.4. Reference to any gender shall include the other gender and any reference to a natural person shall include a legal person and vice versa.
- 2.5. In this MOU, unless clearly inconsistent with or otherwise indicated by the context:

"SEPSA" means (SOCIETY FOR EDUCATIONAL PSYCHOLOGY OF SOUTH AFRICA); and

"EPASSA" means (EDUCATIONAL PSYCHOLOGY ASSOCIATION OF SOUTH AFRICA); and

"SASPA" means (SOUTH AFRICAN SCHOOL PSYCHOLOGISTS ASSOCIATION)

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"CHAIRPERSONS" means Dr. EJM Matthews in her capacity as the current Chairperson of SEPSA, and VP Gaydon in her capacity as the current Chairperson of EPASSA, AND B. Swanepoel in his capacity as the current Chairperson of SASPA;

"EFFECTIVE DATE" means 18 August 2018;

"MOU" means this Agreement.

### **3. GOOD FAITH**

- 3.1. The parties hereto shall display the highest degree of good faith towards each other in all matters pertaining to this Agreement and use their best endeavours to ensure that objectives of the MOU are achieved.

### **4. GOVERNING LAW**

- 4.1. This MOU will be governed by and construed in accordance with the laws of the Republic of South Africa.

### **5. COMMENCEMENT AND DURATION**

- 5.1. This MOU shall come into operation on the effective date and will continue until such time as either party (SEPSA or EPASSA) terminates it.
- 5.2. Termination shall be effected by means of written notice outlining the reason/s therefor and shall be undersigned by the Chairperson of the terminating party.

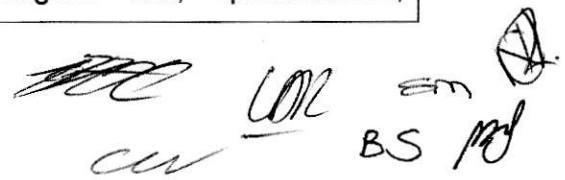
### **6. OBJECTIVES**

- 6.1. The parties hereto agree to promote, independently and/or in collaboration, the following understanding of the scope of practice for Educational Psychologists.

Educational psychologists have skills in the areas of assessment, psychotherapy and research and are particularly skilled in the areas of learning and development across the lifespan.

Educational psychologists may evaluate, diagnose and treat behaviour, mental processes, emotions and personality, and may engage in the following psychological acts reserved for psychologists:

- The evaluation of behaviour or mental processes or personality adjustments or adjustments of individuals or of groups of persons, through the use or interpretation of any psychological test, questionnaire,

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instrument, apparatus, device or similar method for the determination of intellectual abilities, aptitude, interests, personality make-up or personality functioning, and the diagnosis or measurement of personality and emotional functions, neuropsychological disorders and mental functioning deficiencies according to a recognised scientific system for the classification of mental deficiencies;

- the use of any psychological method or practice aimed at aiding persons or groups of persons in the adjustment of personality, emotional or behavioural problems or the promotion of positive personality change, growth and development, and the identification and evaluation of personality dynamics and personality functioning according to scientific psychological methods;
- the evaluation of emotional, behavioural and cognitive processes or adjustment of personality of individuals or groups of persons by the usage and interpretation of psychological questionnaires, tests, projections, or other techniques or any apparatus, whether of South African origin or imported, for the determination of intellectual abilities, aptitude, personality make-up, personality functioning, psycho-physiological functioning or psychopathology;
- the exercising of control over prescribed psychological questionnaires or tests or prescribed techniques, apparatus or instruments for the determination of intellectual abilities, aptitude, personality make-up, personality functioning, psychophysiological functioning or psychopathology;
- the development of and control over the development of psychological questionnaires, tests, techniques, apparatus or instruments for the determination of intellectual abilities, aptitude, personality make-up, personality functioning, psychophysiological functioning or psychopathology;
- the use of any psychological questionnaire, test, prescribed techniques, instrument, apparatus, device or similar method for the determination of intellectual abilities, aptitude, personality make-up, personality functioning, temperament, psycho-physiological functioning, psycho-pathology or personnel career selection;
- the use of hypnotherapy;
- the use of any psychotherapeutic method, technique or procedure to rectify, relieve or change personality, emotional, behavioural or adjustment problems or mental deficiencies of individuals or groups of people; and

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- the use of any psychological method or psychological counselling to prevent personality, emotional, cognitive, behavioural and adjustment problems or mental illnesses of individuals or groups of people.

An educational psychologist shall limit his or her practice to areas within the boundaries of his or her competency based on his or her formal education, training, supervised experience and/or appropriate professional experience.

Educational psychologists engage in the following activities:

- Assessing, diagnosing, and intervening to optimise human functioning, mental health and/or wellbeing in all areas of development across the lifespan, including in the areas of cognition, personality, emotion, education, and neuropsychological functioning;
- Conducting psychological acts such as assessing, diagnosing, and intervening in supporting persons to transcend psychological, social, learning and/or educational barriers, so that they may attain optimal mental health, wellbeing and functioning, and/or to tackle maladjustment, arrested development and/or psychopathology.
- Identifying and diagnosing barriers to learning, wellbeing, mental health and/or development; applying psychological interventions to enhance, promote and facilitate optimal learning, development and/or wellbeing; performing therapeutic interventions, and, when appropriate, referring clients to other professionals for further assessment or intervention;
- Designing, managing, conducting, reporting on and supervising research in psychology; conducting research in accordance with the Ethical Rules of Conduct for Practitioners registered under the Health Professions Act, 1974; and adhering to regulations;
- Advising on the development of policies, based on various aspects of psychological theory, and research; designing, managing, and evaluating psychological and/or educationally-based programmes;
- Training and supervising other registered psychological practitioners in their areas of competence; and
- Providing expert evidence and / or opinions in their areas of competence.

Educational psychologists often work with neurodevelopmental disorders, depressive disorders, anxiety disorders, obsessive-compulsive and related disorders, feeding

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 CN [Signature] BS [Signature]

and eating disorders, elimination disorders, sexual dysfunctions, gender dysphoria, disruptive, impulse-control, and conduct disorders, substance-related and addictive disorders, neurocognitive disorders, personality disorders, trauma- and stressor-related disorders, and other conditions that may be a focus of clinical attention (relational problems, abuse and neglect, educational and occupational problems, housing and economic problems, other problems related to the social environment, problems related to crime or interaction with the legal system, other health service encounters for counselling and medical advice, problems related to other psychosocial, personal, and environmental circumstances and other circumstances of personal history). Educational psychologists may also deal with bipolar and related disorders, dissociative disorders, somatic symptom and related disorders, sleep-wake disorders and paraphilic disorders. Less often Educational psychologists may deal (for instance via psychoeducation) with schizophrenia spectrum and other psychotic disorders, medication-induced movement disorders and other adverse effects of medication.

Some areas of activity for educational psychologists, within their specialized focus on learning and development, may include (but not be limited to) the following:

- Preventative work: promoting psychological well-being, learning and development across the life span
- Assessments: psycho-educational, psycho-legal, custody, career, vocational, examination concession and neuropsychological assessments
- Interventions: psychotherapy, family therapy, group work, community interventions, parental guidance, couples counselling, marital therapy, play-therapy, parent-infant psychotherapy, case management, parent co-ordination, treating psychopathology

Learning and development, in which educational psychologists are particularly skilled, are manifold and broad concepts. Learning provides cognitive tools to better comprehend the world; skills that enable participation in the economy and society, self-analytic and social skills that help individuals reach their potential; and exposure to principles of human rights, democracy, intercultural understanding, respect and peace

- 6.2. The parties hereto further agree to collaborate on any other matters regarding educational psychology or the practice and profession of educational psychology, as may be determined by the parties hereto.

## **7. INTELLECTUAL PROPERTY**

- 7.1. The parties hereto will retain all their intellectual property rights and no conduct of either party, in the pursuance of the objectives of this MOU will be construed as one party waiving its intellectual property rights in favour of the other party.
- 7.2. Any transfer of intellectual property rights can and may only be exercised by way of formal written agreement between the parties.

## **8. PUBLIC STATEMENTS**

- 8.1. Neither party will issue or make any statement to any third party on behalf of the other party hereto.
- 8.2. In the event that a joint statement needs to be issued, both parties hereto will need to be in agreement regarding the contents thereof, prior to the release of any such joint statement. It is specifically recorded that if the Chairpersons reach mutual consent regarding such statements they are authorised to act for and on behalf of the parties hereto.
- 8.3. Neither party hereto is authorised to act as an agent or representative of the other party, save in the event of prior specific agreement having been reached between the parties. It is specifically recorded that if the Chairpersons reach mutual consent regarding such actions they are authorised to act for and on behalf of the parties hereto.

## **9. NON-VARIATION**

- 9.1. No amendment or variation to this Agreement shall be of any force and effect unless it reduced to writing and signed by both parties.

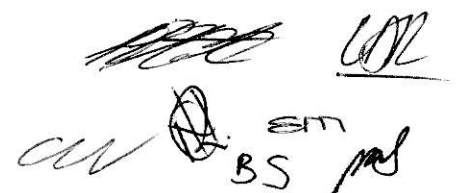
## **10. ADDRESSES**

- 10.1. The parties choose the following *domicilium citandi et executandi* addresses for the purposes of serving any notice, serving of any legal process or for any other purpose arising from this Agreement:

SEPSA:

Physical address:

Oakhurst Office Park Northwing

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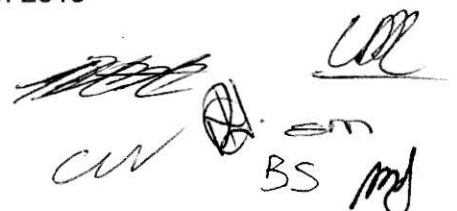
13 St. Andrews Rd  
Johannesburg  
2193  
Postal address:  
PO Box 989  
Houghton  
2014  
Telephone No.: 011 486 3322  
E-mail address: info@psyssa.com

EPASSA:  
Physical address:  
Suite 103  
10 3<sup>rd</sup> Ave  
Highlands North  
2192  
Postal address:  
P O Box 924  
Gallo Manor  
2052  
Telephone No.: 084 6699696  
E-mail address: epassachair@epassa.net

SASPA:  
Physical and Postal Address:  
158 Oxford Rd  
Melrose Johannesburg  
2196  
Telephone: 011 788 5430  
E-mail: [saspainfo@gmail.com](mailto:saspainfo@gmail.com)

10.2. Each party will be entitled from time to time by written notice to the other party to change to any other address within the Republic of South Africa, provided that one of the addresses shall always be a physical address at which the service of legal processes can be effected.

SIGNED at Randburg on this ....18<sup>th</sup> day of August 2018

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Matthews  
For **SEPSA**

AS WITNESSES

1. Decker  
2. [Signature]

SIGNED at Randburg on this 18<sup>th</sup> day of August 2018  
[Signature] pp Vanessa Gayden  
For **EPASSA**

SIGNED at Randburg on this 18<sup>th</sup> day of August 2018  
[Signature]  
For **SASPA**

AS WITNESSES:

1. [Signature]  
2. [Signature]