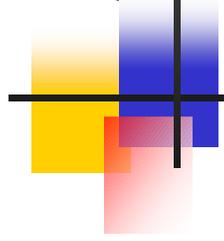


# Association of Test Publishers of South Africa (ATP)

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Prof Hennie Kriek (ATP Chair)  
Feedback at SIOPSA  
10<sup>th</sup> Annual Conference  
14 June 2007  
Pretoria

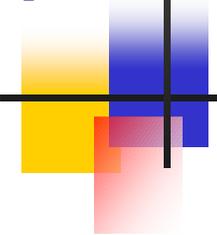


# Agenda

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- Introduction to ATP South Africa
- Factual history regarding the South African Internet Guidelines published by the HPCSA
- The legal framework
- Current issues
- Next steps

# The need for an Association of Test Publishers

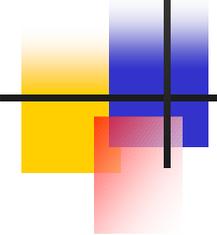


- April 2005 the Psychometrics Committee of the HPCSA requested the coordination of test publishers as stakeholder group at the Johannesburg Airport Meeting
- In the words of Mr Shishana of the HPCSA (April 2005): “This is the beginning of a journey of cooperation and consultation”

# Association of Test Publishers

## ATP South Africa

- Is Affiliated with ATP International, via the Europe division of ATP
- ATP SA is looking at expanding its scope to an African division of Test Publishers
- ATP International was established in 1992 in the USA,
- The Association of Test Publishers is a non-profit organisation representing providers of tests and assessment tools and/or services related to education, employment, certification/licensing or clinical uses.



# Association of Test Publishers

## ATP South Africa

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- **Mission:**

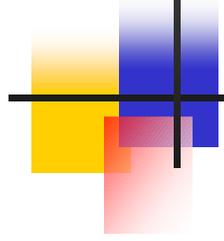
Business organisations use a variety of tests as aids in hiring, placing or promoting employees.

*Industrial/Organizational test publishers are dedicated to promoting and advancing the role of quality assessment in the workplace.*

# Association of Test Publishers

## ATP South Africa

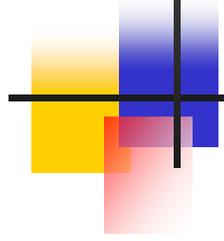
- **SHL South Africa.**
- **JvR: Jopie van Rooyen & Partners (South Africa) (Pty) Ltd.**
- **Thomas International Management Systems (SA) (Pty) Ltd.**
- Amos Laycock Consulting.
- Aprolab.
- Bios Southern Africa.
- Corporate Solutions.
- Insights.
- International Training Network.
- M & M Initiatives.
- MAC Assessment & Development.
- Magellan Consulting.
- Mind Muzik Media.
- NMMU Student Counselling.
- Organisation & Management Technology.
- PI South Africa.
- Placements Incorporated.
- Potential Index Associates.
- Profiles International.
- Sitek SA.
- Saville Consulting.
- SOI.



# Factual History

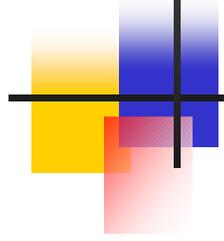
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- 8 April 2005 - Psychometrics committee HPCSA and test publishers meet at Johannesburg Airport
- Sep 2005 - HPCSA adopted first version of SA Internet Guidelines
- 23 Feb - 2006 HPCSA meet with ATP
- May 2006 - HPCSA rescinded the decision to adopt the internet guidelines
- May 2006 - HPCSA invites feedback and comments on Internet guidelines from stakeholders due 31 July 2006 (also reclassification of tests)
- All stakeholders had problems with the guidelines and current test classification system



## Factual History (cont)

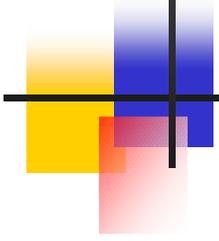
- 22 September 2006 - The Board again adopted the previously published Internet guidelines (with no changes, even with “rest rooms”)
- 2 Feb 2007 - ATP file record with the high court, Case 4218/07 to force HPCSA to rescind their decision to adopt and publish the Internet guidelines (This application was supported by all 22 Test Publisher members of ATP)



# Some ATP Arguments

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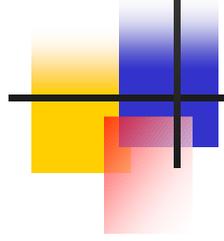
- Procedurally unfair the PAJA (Promotion of Administrative Justice Act 3 of 2000)
- Central theme is on the supervision and administration in testing which, in turn, is based on incorrect interpretation of the Act (also before the courts on review)
- The medium of administration is now determinant if a test requires evaluation and classification
- The supervision and administration paragraphs are not rationally connected to the purpose of the guideline



# Some ATP Arguments

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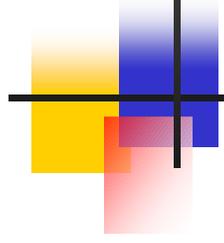
- The SA guideline disregard the well established ITC guidelines regarding supervision and administration in online testing
- The accumulated scientific evidence, local and international, demonstrate that the mode of administration and supervision have no effect on the psychometric properties of typical performance tests
- There is no rationale for the minimum age of 18 to use Internet assessment



## Factual History (cont)

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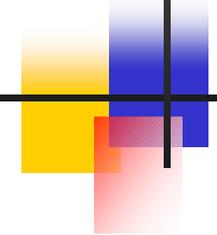
- 20 April 2007 - HPCSA conceded the review application with full cost (only communicated 5 June 2007)
- 14 April 2007 - (Gildenhuys Lessing Malatji write) " We further confirm to the extent that there is no legislation in place at this stage on these two issues... (Guidelines for Psychological testing and Test Administration)



# Legal Framework

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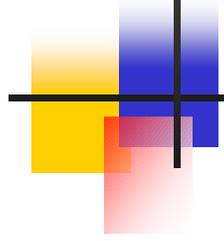
- Section 37(2)(d) of the act provides as follows: “(2) The following acts for the purpose of subsection (1), deemed to be acts specially pertaining to the profession of a psychologist, namely-
  - (a)... (d) the exercising of control over prescribed questionnaires or tests or prescribed techniques, apparatus or instruments for the determination of intellectual abilities, aptitude, personality make-up, personality functioning, psychological functioning or psychopathology;”



## Legal Framework (cont)

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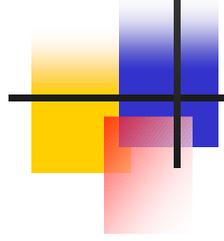
- “Prescribed” to mean prescribed by regulation
- The minister has not promulgated any regulations in that section of the act



## Legal Framework (cont)

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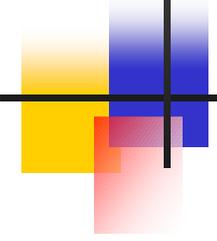
- Section 37(4)(g) of the act provides as follows:
  - “(4) Subject to the provisions of subsection (5), the provisions of subsection (1) shall not be construed as prohibiting the following, namely-
    - (a) ...(g) anything done in the prescribed manner-
    - (i) by any person under the supervision of or on the instructions of a psychologist;....



# What is happening now?

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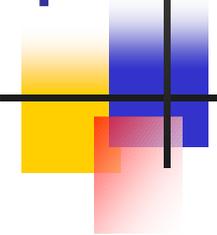
- The HPCSA most probably is busy writing new regulations/legislation
- ATP and other stakeholders expect to see new regulations that will be “over” regulating our profession and will “over” prescribe how psychologists may act
- Stakeholders need to decide what is in the best interest of the profession and the public
- Stakeholders need to voice their opinion when the consultation process starts



# Discussion points

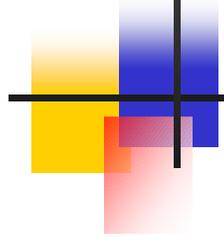
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- Law / legislation (education vs. control)
- Test classification and/or evaluation (what should be regulated and what not)
- Categories and levels of tests (what are their applications and context of use)
- Categories and levels of reports or outputs (what are their applications and context of use)
- Control of tests (practitioners, developers, publishers, users and end users)



# What should practitioners do for now?

- We already have the most regulated environment in the world regarding assessment in the workplace
- We have well balanced and good Ethical rules of conduct for practitioners registered under the act (Government Notice R717, 4 August 2006)
- Well designed international guidelines and frameworks (ITC, EFPA)
- Other legislation and guidelines are in place in SA, Employment Equity Act and Health Professions Act. SIOPSA Guidelines on Validation and Selection Procedures

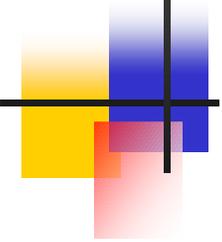


# Closing Thought

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Industrial and Organisational Psychologists are well trained, responsible and competent individuals that can be held accountable for their decisions, judgment, and professional conduct.

They can make a massive contribution to society and they will not harm the public



Questions?