



**South African Medico-Legal Association**  
In Pursuit of Excellence

**POLICY ON RECOGNITION OF PRIOR LEARNING TO REGISTER AS A MEDICO-LEGAL PRACTITIONER**

Document reference	
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## 1 LIST OF ACRONYMS AND NAMES

CHE Council on Higher Education  
CPD Continuing Professional Development  
DHET Department of Higher Education and Training  
MHET Minister of Higher Education and Training  
NLRD National Learners' Records Database  
NQF National Qualifications Framework  
QC Quality Council  
RPL Recognition of Prior Learning  
SAQA South African Qualifications Authority

## 2 GLOSSARY OF TERMS

The terms of reference are taken from National Policy and Criteria for the Implementation of Recognition of Prior Learning (Amended in March 2019)

**“Access”** means the opportunity to pursue education and training, including relevant qualifications and part-qualifications; professional designations; opportunities in the workplace, and career progression.

**“Assessment”** means the process used to identify, gather and interpret information and evidence against the required competences in a qualification, part-qualification, or professional designation to make a judgement about a learner's knowledge and skills. Assessment can be formal, non-formal or informal; assessment can be of learning already done (summative), or towards learning to inform and shape teaching and learning still to be done (formative).

**“Assessment criteria”** means the standards used to guide the recognition of learning and assess learner achievement and/or evaluate and certify competence.

**“Competence”** means the ability to demonstrate knowledge, skills and values successfully against a set of criteria.

**“Informal learning”** means learning that results from daily activities related to paid or unpaid work, family or community life, or leisure.

**“Learning outcomes”** mean the contextually demonstrated end-products of specific learning processes, or the recognition of learning, which includes knowledge, skills and values.

**“Lifelong learning”** means learning that takes place in all contexts in life – formally, nonformal and informally. It includes learning behaviours and obtaining knowledge, skills, understanding, attitudes, values and competences for personal growth, social and economic well-being, democratic citizenship, cultural identity and employability.

**“Moderation”** in RPL assessment means internal and external verification that an RPL assessment system is credible and reliable, and that assessors and learners/candidates behave in an ethical way; and that the RPL assessments are credible, fair, valid, reliable and practicable.

**“Non-formal learning”** means planned learning activities not explicitly designated as learning towards the achievement of a qualification or part-qualification; it is often associated with learning that results in improved workplace practice.

**“Professional body”** means a body representing expert practitioners that is constituted as such, in an occupational field, and includes an occupational body and statutory council.

**“Professional designation”** means a title or status conferred by a professional body in recognition of a person’s expertise and/or right to practise in an occupational field.

**“Recognition of Prior Learning (RPL)”** means the principles and processes through which the prior knowledge and skills of a person are made visible, mediated, and assessed for the purposes of alternative access and admission, recognition and certification, or further learning and development.

**“RPL candidate”** means the person seeking Recognition of Prior Learning.

**“RPL practitioner”** means a person that functions in one or more aspects of RPL provision, including policy development, advising, portfolio course design and facilitation, assessment, moderation, administration, monitoring and evaluation, research and development.

**“Stakeholder”** in the NQF context means any entity responsible for the implementation of the NQF.

**“Summative assessment”** means the final assessment of knowledge, skills, and values, which is used to evaluate a candidate’s competences against a set of assessment criteria.

### **3. CONTEXTUALISATION**

RPL in South Africa is undertaken and awarded in a holistic way, where a holistic approach includes the principles and processes through which the prior knowledge and skills of a person are made visible, mediated and assessed, and requires the involvement of the full range of stakeholders. (SAQA, 2019)

SAQA (2019) is mandated to oversee the implementation of RPL on a national basis in accordance RPL can include any type of prior learning (non-formal, informal and formal) across all ten levels of the NQF.

SAQA also delegated the RPL function to the Council on Higher Education.

The purpose of the CHE policy on RPL is to develop and facilitate the implementation of RPL across the higher education sector and should be based on the principles of equity, access, inclusivity and redress of past unfair discrimination about educational opportunities.

The policy provides direction and guidelines for a dynamic and evolving system of RPL that will promote lifelong learning, whilst at the same time protecting the quality and standards of qualifications and higher education institutions.

Both policies are instrumental to give recognition to medico-legal professionals without a formal qualification to receive recognition as a registered medico-legal practitioner, to receive the professional designation as approved by the Board of the South African Medico-Legal Association (SAMLA).

### **4 FUNCTIONS OF THE SAMLA BOARD ON RPL**

#### **The SAMLA Board will**

4.1. Appoint a Credentialing Committee, who will:

4.1.1. Assess the applications of applicants who do not have a formal qualification, but experience and want to register as a medico-legal practitioner; and

4.1.2. Consider applications for exemption from any prescribed SAMLA course in Medico-Legal Practice to enter the Register.

- 4.2 Appoints an Appeals Committee for unsuccessful applicants who lodges an appeal against the outcome of the application.
- 4.3 Receive recommendations from the Credentialing Committee of applicants for final decision by the SAMLA board.
- 4.4 Successful applicants will be added to the register for medico-legal practitioners and a formal certificate of registration issued signed by the National chairperson.
- 4.5. Inform the candidate that he/she must still conform to the CPD policy of SAMLA to ensure future registration as a medico-legal practitioner.

## **5 FUNCTIONS OF THE CREDENTIALING COMMITTEE**

- 5.1. The Committee should assess each application in a fair and equitable way on documents presented in term of the criteria contemplated in paragraph 7 below.
- 5.2. The Committee is required to apply the principles of equity, access, inclusivity and redress of past unfair discrimination about educational opportunities when considering applicants for RPL, to enable them to be registered as medico-legal practitioners.

## **6 THE RESPONSIBILITY OF THE RPL APPLICANT**

- 6.1. The applicant must ensure that the RPL application is in writing and forwarded to the official address of SAMLA. (insert address or email)
- 6.2. The application must be accompanied by:
  - 6.2.1. A motivation that the applicant has sufficient experience, competence and skills in medico-legal practice and that he/she practices in an acceptable ethical standard.
  - 6.2.2. A reference, one each from a reputable Medico-Legal lawyer and a reputable Medico- Legal healthcare expert as approved by the Credentialing Committee.
  - 6.2.3. Evidence of short learning programmes, workshops and conferences attended for both RPL and exemption applications.
  - 6.2.4. Clearly indicating which of the three RPL tiers they seek registration for and submitting the additional information as required under 7 below.
  - 6.2.5. All evidence required must be indexed in a File called Proof of Evidence. (PoE)

## **7. ASSESSMENT CRITERIA TO REGISTER AS A MEDICO-LEGAL PRACTITIONER.**

The RPL applicant will be assessed through a process of peer review, to determine whether the candidate could demonstrate sufficient knowledge, skills and experience in the Proof of Evidence to be considered to be registered. The Committee is at liberty to make use of one or more of the following assessments instruments when considering applications:

- (a) Learning portfolios (for example, the candidate may present a comprehensive set of documents and/or other evidence to illustrate his/her prior learning).
- (b) Recognition of relevant non-formal learning completed in the form of professional short courses or in-service training courses.

- (c) Recognition of informal learning in the workplace or in another appropriate environment.
- (d) The candidate has demonstrated cases he/she has successfully managed.
- (e) Medico-Legal reports or judgments in which he/she featured.

**7.1. Tier 1: RPL criteria to register as a Registered Medicolegal Practitioner**

**7.1.1** Applications for Tier 1 must have at least 3-5 years' experience in medico-legal practice.

7.1.2 Submit a duly completed Proof of Evidence as contemplated in 6. above.

**7.2. Tier 2: Criteria for advancement to the level "Advanced Medico-legal Practitioner",**

**7.2.1.** Applications for Tier 2 must have at least 10 years' experience in medico-legal practice.

**7.2.2.** At least 10 years' experience in his or her primary profession (could run concurrently).

**7.2.3.** Submit a duly completed Proof of Evidence as contemplated in 6. above demonstrating competence and ethics as a medico-legal practitioner as per 6.2.2.

**7.3 Tier 3: RPL criteria to register as a Senior Medico-Legal Practitioner**

7.3.1. The applicant must be a registered Advanced Medico-legal Practitioner.

7.3.2. Applications for Tier 3 must have at least 15 years' experience in medico-legal practice.

7.3.3. Submit a duly completed Proof of Evidence as contemplated in 6. above demonstrating competence and ethics as a medico-legal practitioner as per 6.2.2.

7.3.4. Evidence of at least three (3) of the following, as professionally pertinent appears in the Proof of Evidence:

- i. Ongoing teaching, mentoring and supervision of Medico-legal Practitioners;
- ii. Publications and/or citations;
- iii. Peer reviews undertaken;
- iv. Judgements;
- v. An indication of the number of reports; opinions; heads of argument; advice on evidence/merits/quantum relevant to medico-legal practice
- vi. Any other exceptional contribution the applicant is making to the field of medico-legal practice.

7.4. The Credentialing Committee may at its discretion propose and motivate, with supporting evidence, to the SAMLA Board the meritorious advancement of an Advanced Medico-legal Practitioner to the status of Senior Medico-legal Practitioner.

**8. CONCLUSION**

By providing RPL to medico-legal practitioners to be registered, SAMLA promotes ethical practice in the field, adhering to the code of conduct as a SAMLA member and ensuring continuous lifelong learning in the field of medico-legal practice.

### **Bibliography**

1. South African Qualifications Authority, (2019) National Policy and Criteria for the Implementation of Recognition of Prior Learning (Amended in March 2019).
2. Council on Higher Education, (2016). Recognition of Prior Learning, Credit Accumulation and Transfer, and Assessment in Higher Education.

Signed:

A handwritten signature in black ink, appearing to be 'E Stellenberg', written over a large, light-colored oval scribble.

Prof E Stellenberg  
SAML National Chairperson

Date: 24 January 2025