



**Western Cape
Government**

Department of Social Development:

**Policy on the Funding of Non-Government
Organisations
for the Provision of Social Welfare and
Community Development Services**

MARCH 2014

TABLE OF CONTENTS

SUBJECT	PAGE NO
<p>CHAPTER 1</p> <p>1. Background 2. Core Principles 3. Definitions</p>	3-6
<p>CHAPTER 2</p> <p>4. Roles and Responsibilities of Department of Social Development Officials and Office Bearers</p>	6
<p>CHAPTER 3</p> <p>5. Funding of Social Welfare Services and Community Development Services 6. Methods of FUNDING of NGOs 7. Notification of Funding Opportunities 8. Assessment of Business Plans 9. Funding Agreements</p>	10-14
<p>CHAPTER 4</p> <p>10. Monitoring, Evaluation and Reporting</p>	14
<p>CHAPTER 5</p> <p>11. Consultative forum 12. Policy implementation guidelines 13. Communication</p>	15
<p>Short title</p>	15
<p>ANNEXURES</p> <p>A: Legislation and Policy Framework influencing the Funding Policy B: References</p>	16-21

CHAPTER 1

1. Background

- 1.1 Transfer payments represent a large part of the Western Cape Government: Department of Social Development's (DSD) spending and contributes significantly to the lives of the poor and vulnerable in the Western Cape Province. They are monetary payments to non-government organisations (NGOs) in order to further the Policy objectives and priorities of the DSD.
- 1.2 The purpose of this Policy is to ensure that transfer payments are managed in a transparent manner that promotes accountability, efficient administration, clear performance requirements, and the principles of administrative justice.
- 1.3 This policy sets out the roles and responsibilities of the DSD in the delivery and management of funding to NGOs for the provision of social welfare and community development services in the Western Cape Province.
- 1.4 This policy must be read in conjunction with other related policies and procedures as may from time to time be developed or amended to enable its effective implementation.

2. Core Principles

- 2.1 The DSD will allocate the annual transfer funding provided by a Vote of the Provincial Parliament to the DSD to the NGO sector on the basis of the following core principles:
- 2.2 Accountability and Transparency: Public funds allocated for addressing social welfare or community development needs will be utilized for its intended purpose in such a manner that it can be accounted for to the public and competent statutory bodies;
- 2.3 Appropriate prioritisation: funds will be prioritised on the basis of the types of services based on needs assessment by the DSD and using the best available data;
- 2.4 Capacity building: where appropriate, capacity building and support will be provided to small and emerging NGOs to render social welfare and community development services in order to develop local capacity, especially in non-metro and rural areas;
- 2.5 Efficiency and cost-effectiveness: A focus on results that meet the prioritised needs of citizens as reflected in the DSD's Annual Performance Plan, while making the best possible use of resources, and rewarding projects that perform well;
- 2.6 Equity: The distribution of resources based on needs and priorities as determined by the mandates and medium term objectives as defined in the DSD APP and strategic plan. NGOs shall be given equitable access

to bid for funding for social welfare and community development projects by adequate notification of funding availability through print media adverts and, in respect to currently funded NGOs, departmental circulars and through a fair process of assessment and allocation of funding on the basis of these core principles;

- 2.7 Professionalism and best practice: Social welfare and community development services shall be rendered in a professional manner, within the ethical framework and governing practices of professional councils such as the South African Council for Social Service Professionals, within regulatory requirements, and in line with internationally established best practices

3. Definitions

- 3.1 "Accounting Officer of the DSD" refers to the Head of the Department of Social Development.
- 3.2 "Annual Performance Plan or APP" means the plan that provides annual performance indicators for the programmes of the DSD;
- 3.3 "Business Plan" means a detailed plan of the manner in which the NGO intends to provide social welfare or community development services to beneficiaries and the utilisation of resources together with the supporting documentation stipulated by the DSD through its eligibility criteria and specifications.
- 3.4 "Community development services" means a service which has as its primary objective the promotion of development programmes, primarily that of youth development, poverty alleviation and sustainable livelihood and institutional capacity building for NPOs which facilitate empowerment of communities. These community development services may from time to time be augmented in accordance with National Treasury instructions and when a budgetary allocation is assigned by the DSD;
- 3.5 "Developmental Social Welfare" means the maximisation of human potential and fostering self-reliance and participation in decision making. It concentrates on the causes and effects of social vulnerability and marginalisation and the delivery of integrated services to communities, families and persons affected by these phenomena.
- 3.6 "Emerging Organisation" means those organizations that are new in the field of social welfare services that do not yet have the capacity and resources to sustain themselves;
- 3.7 "Evaluation" means a systematic and objective examination of a project to determine its efficiency, effectiveness, outputs, impacts, sustainability and relevance in terms of its objectives;

- 3.8 “Executive Authority” means the member of the Executive Council responsible for the particular portfolio. In terms of this policy, the portfolio is Social Development.
- 3.9 “MEC” means the Minister of Social Development. The MEC is the Executive Authority of the DSD;
- 3.10 “Monitoring” means the continuous or periodic surveillance of the physical implementation of a project during the life-cycle of such project to ensure that inputs, outputs and external factors are proceeding according to plan;
- 3.11 “Multidisciplinary team” is a team consisting of various professionals for example, but not limited to, psychologists and registered nurses, in addition to social workers that are required to ensure effective implementation of a specific social welfare service;
- 3.12 “Non-Government Organisation or NGO” means a non-government organisation that is rendering or associated with social welfare or community development services and include NPOs;
- 3.13 “Non-Profit Organisation or NPO” means a trust, company or other association of persons established for a public purpose, the income and property of which may not be distributed to its members or office-bearers except as reasonable compensation for services rendered;
- 3.14 “Social welfare services” means a service which has as its primary objective the promotion of developmental social welfare;
- 3.15 “Programme 2, 3, and 4” means the budget programmes in the APP of the DSD that provides integrated developmental social welfare services to the poor and vulnerable in partnership with stakeholders and civil society organisations and, for the purposes of this Policy contains the sub-programmes: Care and Services to Older Persons, Services to Persons with Disabilities, Care and Support Services to Families, Child Care and Protection Services, Early Childhood Development and Partial Care, Child and Youth Care Centres, Community Based Care Services to Children, Social Crime Prevention and Support Victim Empowerment and Substance Abuse Prevention and Support;
- 3.16 “Programme 5” means the budget programme in the APP of the DSD that provide sustainable development programmes which facilitate empowerment of communities, based on empirical research and demographic information and for the purposes of this Policy contains the sub-programmes Youth Development, Poverty Alleviation and Sustainable Livelihoods and Institutional Capacity Building and Support for NPOs;

- 3.17 “ Project” means a planned activity or sets of activities designed to achieve certain specific objectives within a given budget and within a specified period of time;
- 3.18 “Transfer Payment Agreement” means the written contract between the DSD and relevant NGO concluded prior to the provision and transfer of a funding allocation;
- 3.19 “Unsolicited business plan” means a business plan received from an NGO or the NGO sector that was not in response to the funding notification process of the DSD as contained in Chapter 3 of this policy.

CHAPTER 2

4. Roles and Responsibilities of Provincial Government Officials and Office-Bearers

4.1 MEC

- 4.1.1 Provides strategic direction to the DSD;
- 4.1.2 Approval of budget programme purpose, objectives, expected results and outcomes;
- 4.1.3 Approval of the DSD funding/transfer payment priorities;
- 4.1.4 Approval of final funding allocations to NGOs in consultation with Accounting Officer.

4.2 Accounting Officer of DSD

- 4.2.1 Approval of final funding allocations to NGOs after consultation with MEC;
- 4.2.2 Approval of eligibility criteria for allocation of funding to NGOs;
- 4.2.3 Certifies that the funding allocations per NGO schedule recommended by Chief Directors: Programme 2 to 5 comply with all eligibility criteria;
- 4.2.4 Enters into written agreements with NGOs for the provision of social welfare and/or community development services as prescribed via the DSD approved financial delegation of powers¹.

¹ A budget submission approved by the Accounting Officer and MEC may be used to assign authority to enter into a transfer payment agreement on behalf of the Department to the budget holder of sub-programmes provided that the budget holder is in possession of a written confirmation that she/he has been so appointed.

4.3 Chief Financial Officer

- 4.3.1 Assesses the extent to which a budget submission from a budget holder for the approval of NGO complies with all applicable financial statutory requirements in terms of Provincial Treasury Instruction 2.2.1 and advises the accounting officer accordingly; and
- 4.3.2 Provides quarterly expenditure reports on transfer funding payments versus committed allocations per budget sub-programme to programme directors, chief directors and the accounting officer.

4.4 Chief Directors: Programme 2 to 5

- 4.4.1 Ensure that the application of allocated funding is incorporated in the DSD APP and aligned with the DSD strategic plan;
- 4.4.2 Inform NGOs of funding for the provision of social welfare and community development services by notices to this effect in the print media (mainstream provincial as well as community print media) and in respect of currently funded social welfare NGOs, via a departmental circular;
- 4.4.3 Assess the written recommendations of Programme 2 – 5 directors for the approval or rejection of funding allocations to NGOs in terms of the core principles of this funding policy (set out in Chapter 1) the core funding allocation eligibility criteria and sub-programme specifications (set out in Chapter 3), and make a final recommendation to the Accounting Officer on each NGO funding allocation;
- 4.4.4 Enters into written agreements with NGOs for the provision of social welfare or community development services as prescribed via the DSD approved financial delegation of powers;²

4.5 Directors: Programme 2 to 5

- 4.5.1 Ensure Project/service provision alignment, scheduling, implementation, risk management and unblocking of obstacles to effective and efficient sub-programme implementation;
- 4.5.2 Where a notification of funding opportunities as indicated in clause 7 hereunder is required, develop the service delivery specifications and obtain approval from the relevant Chief Director for the publication – whether through print media advertising, departmental circular or limited invitation – thereof;
- 4.5.3 Function as the central point for receipt of Business Plans and applications only in respect of clause 7.5 (limited invitation to submit business plan) and 7.6 (unsolicited business plans) record and acknowledge receipt thereof;

² As indicated in footnote 1 above.

- 4.5.4 In accordance with clause 8 hereunder, ensure that NGOs making application in terms of clause 7.5 and 7.6 are advised in writing of the status – whether successful or unsuccessful - of their applications;
- 4.5.5 Make written recommendations (based on compliance with the core principles and funding allocation criteria and sub-programme specifications as set out in Chapters 1 and 3) for the approval of funding allocation to individual NGOs to the Chief Director, detailing how the allocation contributes toward the relevant APP performance indicators within available budget;
- 4.5.6 Ensure sub-programmes carry out Monitoring of NGOs against the APP performance indicators and any other relevant indicators required for quality control or operational level reporting as incorporated in the Transfer Payment Agreements;
- 4.5.7 Enters into written agreements with NGOs for the provision of social welfare or community development services as prescribed via the DSD approved financial delegation of powers³;
- 4.5.8 Certify that the NGO has delivered services of a satisfactory standard and meets the performance, financial and all reporting requirements as determined by the transfer payment agreement entered into between the Department and the NGO;
- 4.5.9 Where necessary ensure that NGOs implement corrective action plans.

4.6 Programme Managers: Programme 2 to 5

- 4.6.1 Assess Business Plans submitted to DSD by NGOs on predetermined eligibility criteria and make written recommendations to Programme director with respect to whether or not a particular NGO complies with stated eligibility criteria and sub-programme specifications and should be considered for a funding allocation to provide social welfare or community development services;
- 4.6.2 Assess currently funded NGOs based on core eligibility criteria and predetermined specifications and make recommendations in respect of whether or not the existing funding agreement should be extended and, if the latter, whether for one or two financial years;
- 4.6.3 Enters into written agreements with NGOs for the provision of social welfare or community development services as prescribed via the DSD approved financial delegation of powers⁴;
- 4.6.4 Function as the central point for receipt of quarterly monitoring reports from NGOs on performance against APP indicators (together with stipulated supporting documentation) as incorporated in the Transfer Payment Agreement and maintain records thereof;

³ As indicated in footnote 1 above

⁴ As indicated in footnote 1 above.

- 4.6.5 Monitor service delivery implementation in accordance with the sub programme Monitoring & Evaluation plan;
- 4.6.6 Ensure the compilation, quality assurance and authorization of a Transfer Payment Agreement for each NGO approved for funding in terms of this policy.
- 4.6.7 Assess the quarterly reports provided by NGOs and make recommendations to the programme director in respect of the following:
 - 4.6.7.1 The standard of service delivery provided;
 - 4.6.7.2 Whether or not the performance information provided is aligned to the performance indicator(s) as prescribed in Annexure B of the signed transfer payment agreement between the Department and the NGO;
 - 4.6.3.3 Whether or not the source document is, as prescribed in Annexure B of the transfer payment agreement entered into between the Department and the NGO and the degree to which it supports and verifies the performance information provided in the quarterly report; and
 - 4.6.7.4 Whether or not the NGO has met all the reporting requirements as determined by the transfer payment agreement entered into between the Department and the NGO.

4.7 Deputy Director: Programme Funding Office

- 4.7.1 Ensure that print media notifications or departmental circulars clearly state the requirements of the DSD, which should be based on APP performance indicators for the relevant social welfare or community development service being advertised;
- 4.7.2 Quality assurance of all Business Plans and applications to ensure that all documentation as indicated in print media notifications and departmental circulars has been submitted;
- 4.7.3 Function as the central point for receipt of Business Plans and applications in response to print media notifications and departmental circulars, record and acknowledge receipt of all Business Plans and applications;
- 4.7.4 Function as the central point for receipt and assessment ⁵of audited annual financial statements from NGOs, and maintains records thereof;
- 4.7.5 Provide assurance of NGO registration in terms of the applicable legislation; and

⁵ Audited financial statements will be assessed to ensure that the audit findings provide proof of capability with respect to good governance and financial management

- 4.7.6 Responsible for the maintenance of records on each funded NGO in a filing system that must include all submitted Business Plans, applications, quarterly reports with supporting documentation and audited financial statements.
- 4.7.7 Ensure the development, continuous updating and maintenance of a central database (one point of truth) of all funded NGOs.

CHAPTER 3

5. Funding of Social Welfare and Community Development services

- 5.1 The DSD shall, within its available budgetary resources (as provided for annually by a Vote of the Provincial Parliament), fund the provision of statutory social welfare services and approved priority social welfare and community development services to achieve the progressive realization of social services rights pertaining to children, older persons, and other vulnerable members of society as envisaged in the Constitution of the Republic of South Africa;
- 5.2 Funding will be considered in accordance with Business Plans and application forms submitted by NGOs which set out the main cost-drivers of each Project/service output. The DSD shall analyse the Business Plan and application forms in terms of the DSD approved eligibility funding criteria and predetermined specifications and, if necessary, engage with the NGO to secure optimal and appropriate costing for the said outputs.

6. Methods of funding of NGOs

The following funding methods will be used in respect of social welfare services that are aligned to the DSD's APP:

- 6.1 Project or service outputs must be specifically quantified in the Business Plan, and delivery thereon monitored by the budget holder on a quarterly basis. Where the output is to ensure the availability of a registered social work professional in the service of a geographic area where the DSD does not have a presence, further specific quantifiable project outputs do not need to be stipulated;
- 6.2 The unit cost funding method will, where possible, be utilized for the funding of residential and non-residential services. It is used for benchmarking purposes and may include other funding options depending on the outcomes and outputs of the services to be procured. This will enable DSD to regularize the costing of social welfare services; benchmark services (norms and standards) in accordance with the services included in the unit cost and implement funding level increases as additional funding becomes available. The unit cost shall be reviewed on an annual basis;

- 6.3 The post funding method - which includes posts associated with multidisciplinary teams - may, where possible be utilized to determine funding allocations specifically for social welfare services. Post cost will be reviewed on an annual basis and funding level increases may be implemented as additional funding becomes available;
- 6.4 Funding may include seed funding for emerging organisations, pilot/new projects, funding for non-consumables such as furniture, equipment, accommodation and vehicle rental as required to render a specific programme or project.

7. Notification of Funding Opportunities

- 7.1 The DSD will on an annual basis before the commencement of the following financial year notify the NGO sector in all three (3) official languages of the Province of possible funding for social welfare services by calling for proposals in the form of detailed business plans to be submitted by interested NGOs. In the case of currently funded organisations a departmental circular will be issued outlining the criteria to be applied and process to be followed.
- 7.2 The DSD will allow a period of at least six (6) weeks from closing date of the notification for such Business Plans as contemplated in 7.1 may be submitted where-after DSD shall commence the assessment of the Business Plans received. Currently funded NGOs will have undergone a period of continuous assessment throughout the financial year and will be notified of the possible funding allocation before the commencement of the following financial year.
- 7.3 The notification of possible funding shall clearly state the criteria and specifications governing the allocation of funding and the notice, together with the criteria and specifications shall be deemed to be the total requirements of the DSD in the event that a DSD funding allocation decision is challenged.
- 7.4 Upon receipt of the Business Plans, The DSD must acknowledge receipt in writing upon receipt;
- 7.5 The DSD, from time to time, identifies gap(s) in the delivery of its planned, funded services as set out in its APP and/or approved departmental strategies arising after the notification of funding opportunities as set out in clauses 7.1 to 7.4 have been exhausted. In such instances, in order to ensure service delivery, the DSD may, upon approval from the Accounting Officer and Executive Authority of the DSD, carry out a limited invitation to NGOs to submit business plans to provide the services necessary to fill the service delivery gap(s). The terms of the limited invitation must be clearly stipulated in a budget submission to the Accounting Officer and Executive Authority by the relevant Chief Director;
- 7.6 Unsolicited business plans received from the NGO sector may only be considered after the processes contemplated in clause 7.1 – 7.5 have

been exhausted and if adequate funding remains available for allocation.

8. Assessment of Business Plans

8.1 Only Business Plans submitted in terms of clause 7 above that meet the requirements of the DSD as set out hereunder will be considered for an allocation of funding;

8.2 The minimum compliance criteria required for NGOs to obtain funding from the DSD are the following:

8.3 Compliance with the following legislation where appropriate:

8.3.1 Legislative Compliance:

8.3.1.1 Non- Profit Organisations Act, 71 of 1997;

8.3.1.2 Companies Act, 71 of 2008;

8.3.1.3 Section 30 of the Income Tax Act, 58 of 1962;

8.3.1.4 Trust Property Control Act, 57 of 1988;

8.3.1.5 Service specific related legislation; and

8.3.1.6 Section 38(1)(b) and Section 38 (1)(j) of the Public Finance Management Act 1 of 1999 as amended and National Treasury Regulations promulgated in terms of this Act.

8.4. Alignment with DSD strategic priorities as indicated via the performance indicators and programme priorities in the APP and service delivery gaps identified via evidence based on valid and reliable research methods.

8.5 Evidence of track record of previous performance:

In the case of NGOs currently funded by the DSD and/or NGOs that have been funded within three (3) years of the current notifications as indicated in clause 5 above and/or NGOs who are being considered for funding for the first time by the DSD, in addition to compliance with clause 8.3.1 to 8.4, the following will be considered as part of the assessment process

8.5.1.1 An onsite line monitoring or rapid assessment report certified by the delegated relevant Programme authority as representing satisfactory performance with respect to the outputs, targets, reporting duties and financial compliance as determined by the NGOs current Transfer Payment Agreement with the DSD;

- 8.5.1.2 A capacity assessment report certified by the delegated relevant Programme authorities that indicates that the NGO is able to provide the services required.
- 8.6 Where a Business Plan is submitted by an NGO on behalf of another NGO, then such NGO must furnish proof of its mandate from and affiliation to such NGO.
- 8.7 The DSD will assess the Business Plans and supporting documentation submitted in terms of clause 8.
- 8.8 Within two (2) weeks from date of approval of funding allocations, all NGOs shall be notified by the Accounting Officer of the DSD of the outcome of the funding allocation process.
- 8.9 Contestations arising out of the acceptance or rejection of Business Plans must be referred to the Head of Ministry of the Department of Social Development in writing within seven (7) calendar days after despatch of such notification as set out in clause 8.8 by the DSD to the NGO;
- 8.10 The Head of Ministry will constitute a reference group composed of departmental officials to review and consider the contestations in terms of the eligibility criteria whereafter the Head of Ministry shall notify all disputing applicants of the outcome of the decision.

9. Funding Agreements

- 9.1 The DSD must enter into Transfer Payment Agreements with NGOs after a funding allocation has been approved in terms of this Policy;
- 9.2 Transfer Payment Agreements concluded in terms of clause 9.1 must, inter alia, make provision for and include the following matters:
 - 9.2.1 Contain a detailed description of the nature and extent of social welfare outputs;
 - 9.2.2 Include the Business Plan as an integral part of the agreement;
 - 9.2.3 Reflect clear and measurable service-specific targets, results, outputs, outcomes, and specific types of supporting documentation required reporting performance (as applicable) expected by DSD with specific reference to its alignment to the DSD's APP;
 - 9.2.4 Include financial arrangements, specifically intervals and method of payment and certification of invoices.
 - 9.2.5 Must indicate the method and frequency of monitoring and reporting arrangements;

- 9.2.6 Clear definitions of circumstances causing suspension, cancellation and reduction of funding;
- 9.2.7 Applicable penalties for non-compliance with the Transfer Payment Agreement.
- 9.3 The DSD shall determine the term of the Transfer Payment Agreement with a particular NGO having regard to inter alia the circumstances prevailing at the time of the allocation of funding and the nature of the Project or service provided.

CHAPTER 4

10. Monitoring, Evaluation and Reporting

- 10.1 The DSD must monitor actual performance of NGOs in accordance with Provincial and National Treasury requirements to ensure that the desired outputs are in conformity with such Treasury requirements;
- 10.2 The DSD shall set performance targets in the Transfer Payment Agreements to be concluded with NGOs, such targets will be aligned with the planned outputs in the APP of the DSD;
- 10.3 The performance monitoring of NGOs shall be undertaken on a quarterly basis by way of the provision of quarterly reports by NGOs together with supporting documentation;
- 10.4 The DSD shall conduct regular site visits to the funded NGOs;
- 10.5 The DSD will ensure that funded NGOs have adequate systems to collect and verify data and evidence for the services provided are implemented. If necessary, the DSD must assist the NGOs with establishing these systems to ensure compliance;
- 10.6 The DSD must notify funded NGOs that continuously fail to submit their quarterly reports that they may be ineligible for future funding by the DSD;
- 10.7 The DSD shall furthermore determine the effectiveness and success of the programmes that it undertakes and must design and conduct evaluations and impact studies in this regard through its Directorate: Research, Population and Knowledge Management with advice and assistance of the department's programme management.
- 10.8 Funded NGOs must participate in the performance evaluation processes of the DSD in accordance with prior and mutually agreed terms as stipulated in the Transfer Payment Agreements;
- 10.9 Funded NGOs shall be obliged to implement the required corrective measures emanating from such evaluations and as directed by the DSD in accordance with prior and mutually agreed terms as stipulated in the Transfer Payment Agreements.

CHAPTER 5

11. Consultative forum

The MEC may institute a consultative forum comprising of four (4) senior managers from the DSD and two (2) members of the NGO sector to consult and advise him or her on any matters incidental to this Policy.

12. Policy implementation guidelines

The MEC may issue policy implementation guidelines from time to time to ensure improved implementation of this Policy.

13. Communication

The policy and subsequent amendments will be made available on the DSD website and Livelink and may be communicated through various social platforms as provided for in the approved Western Cape Government's Social Media Policy.

14. ADOPTION AND IMPLEMENTATION

The implementation date of this Policy is with effect from 1 March 2014.

15. AUTHORISATION AND APPROVAL

RECOMMENDED

R MACDONALD

Acting HOD

DATE:



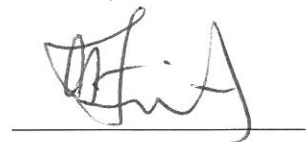
2014/03/01

APPROVED

A FRITZ

MEC

DATE:



2014/03/02

Short title

This policy shall be known as the Western Cape Government: Department of Social Development: Policy on the Funding of Non-Government Organisations for the Provision of Social Welfare and Community Development Services ("the Funding Policy") and hereby rescinds all previous Funding Policies from date of its approval.

ANNEXURE A

Legislative and policy framework influencing the Funding Policy

The key legislative and policy frameworks referred to herein either relate to or makes provision for the management, registration, and financing of the delivery of social welfare services.

Constitutional mandates

Legislation	Impact on Department of Social Development functionality
Constitution of the Republic of South Africa Act, No. 108 of 1996	Section 28 (1) of the Constitution sets out the rights of children with regard to appropriate care (basic nutrition, shelter, health care services and social services) and detention.

Legislative and Policy Mandates

Legislation	Impact on the Department of Social Development functionality
White Paper for Social Welfare (1997)	The White Paper serves as a foundation for social welfare post 1994 by providing guiding principles, policies and programmes for developmental social welfare
White Paper: Population Policy for South Africa (1998)	The White Paper promotes sustainable human development and quality of life of all South Africans through integration of population issues into the development planning of different spheres of government and all sectors of society. The DSD is mandated by the policy to monitor its implementation and impact on population trends and dynamics in the context of sustainable human development.
Green Paper on the Family (2011)	The aim of the Green Paper is to foster family well-being, promote and strengthen families and family life and mainstream family issues into government wide policy making initiatives.
Older Persons Act, No. 13 of 2006	The Act was operationalized by the Presidential Proclamation of 1 April 2010 and aims to empower and protect older persons inclusive of their status, rights, well-being, safety and security and combatting abuse against older persons.

Legislation	Impact on the Department of Social Development functionality
	Emphasis was also shifted from institutional to community based care in order to ensure that older persons remain in their communities for as long as is possible. It deals with the establishment, registration and management of facilities and services for older persons.
Children's Act, No. 38 of 2005	Operationalized by the Presidential Proclamation of 1 April 2010, the Act defines the following: <ul style="list-style-type: none"> o the rights and responsibility of children; o parental responsibilities and rights; o determines principles and guidelines for the protection of children; o the promotion of the well-being of children and; o the consolidation of the laws relating to the welfare and protection of children and provides for incidental matters.
Child Justice Act, No. 75 of 2008	The Act is to establish a criminal justice process for children accused of committing offences and aims to protect the rights of children.
Probation Services Act, No. 116 of 1991	The Act serves as an interim measure to facilitate the transformation of the child and youth care system. The transformation of the child and youth care system relates to: <ul style="list-style-type: none"> o Early intervention; o Family finding; o Home based supervision; o Restorative Justice; o Services in terms of victims of crime; and o Assessment of arrested children who have not been released from custody.
Prevention and Treatment for Substance Abuse Act, No. 70 of 2008	This Act provides for the implementation of comprehensive and integrated service delivery amongst all government departments. The main emphasis of this Act is the promotion of community based and early intervention programmes as well as the registration of therapeutic interventions in respect of substance abuse.
Social service Professions Act, No. 110 of 1978; Amended 1995, 1996 & 1998	The Act established the South African Council for Social Work Professions and professional boards for social service professions and defines its powers and functions.
Non- Profit Organisations Act, No. 71 of 1997	The Act cancelled the Fund-raising Act, 1997 however, still promotes the relief of funds and an environment where NPOs can flourish by providing an administrative and regulatory framework in which they can operate.
Domestic Violence Act, No. 116 of 1998	The purpose of this act is to afford the victims of domestic violence the maximum protection from domestic abuse.

Legislation	Impact on the Department of Social Development functionality
Sexual Offences and Related Matters Amendment Act, No. 6 of 2012	To amend the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, so as to expressly provide that the imposition of penalties in respect of certain offences contained in the Act is left to the discretion of the courts; and to provide for matters connected therewith.

Policy mandates and planned policy initiatives

- The Draft **Provincial Child Protection Strategy** was finalised in 2011/12 and is aimed at securing a properly resourced, co-ordinated and managed child protection system in accordance with the Children's Act 38 of 2005.
- The Draft **Policy on Temporary Safe Care** has been drafted in partnership with key stakeholders in the child protection sector. It provides guidelines on the management of temporary safe care.
- The **Framework for Social Welfare Services (2011)** has been approved by the Executive Management of the National Department of Social Development and seeks to facilitate/guide the implementation of a comprehensive, integrated, rights-based, well-resourced, and quality developmental social welfare services. It is aligned with the Integrated Service Delivery Model (ISDM) and has been approved for implementation by all role-players responsible for the delivery of social welfare service.
- The Framework for Social Welfare Services highlighted the need for the development of norms and standards for social welfare services. **The Norms and Standards for Social Welfare Services (2011)** are based on the developmental approach adopted by the DSD through the White Paper for Welfare (1997), and it seeks to contribute to the achievement of social development goals through developmental social welfare. The 3 core focus areas of the generic norms and standards include:
 - i. Development of the norms and standards for the generic intervention process in social work practice.

The Generic norms and standards for social welfare service delivery (2011) have been completed.

- ii. Training and capacity building of all social service professionals.

Training on the generic norms and standards, business processes and the supervision framework has commenced during 2012/2013. Social workers from DSD have been trained as an initial phase. Training will be rolled out to the NPO sector within the 2013/14 financial year. The Supervision Framework is concerned with ensuring the provision of effective and quality supervision of social service practitioners in order to ensure competent professional social work practices that serve the best interests of service users in South Africa. Training in the Supervision Framework was finalised at the end of November 2012 and included social service professionals in DSD and the NPO sector.

- iii. A provincial readiness assessment was completed to assess the readiness of all provincial departments of social development, NPO sector and other government departments who operate in the field of social welfare to implement the norms and standards. The report will be made available and an implementation plan will be compiled based on the findings of the provincial readiness assessment within the new financial year. The readiness assessment was focused on:

- o Identifying the resources required for the implementation of the norms and standards process;
- o Developing a quality assurance framework and developing province specific plans to ensure implementation of the generic norms and standards for social welfare service delivery.

- **Draft Policy for Social Service Practitioners (2012):** This policy aims to review the current Social Service Professions Act 110 of 1978. The main objectives of the policy are to provide for a regulatory framework for all social service practitioners. This framework will facilitate the professionalisation of human resources of the social development sector.
- The South African Council for Social Service Professions (SACSSP) has developed the **Draft Code of Good Practice and Responsibilities of Employers of Social Service Practitioners (2012)**. Presently only social workers, student social workers and social auxiliary workers are required to register with the

SACSSP under the Professional Board for Social Work. However, the ambit of registration may also extend to other practitioners within the social service sector. The document proposes the inclusion of other, but is not limited to child and youth care workers, community development workers, youth workers, criminologists and victimologists. This Policy has been presented to the Professional Board for Social work followed by provincial consultations during the second quarter of the 2012/2013 financial year.

ANNEXURE B

References

1. 2013/14 Annual Performance Plan of the Western Cape Government: Department of Social Development
2. 2014/15 Annual Performance Plan of the Western Cape Government: Department of Social Development
3. 2011 Western Cape Provincial Government Policy on the Funding of Non-Governmental Organisations for the Rendering of Social Welfare Services.
4. National Department of Social Development: Policy on Financial Awards to Service Providers