



Western Cape
Government

Social Development

STANDARD OPERATING PROCEDURE FOR CANALISATION SERVICES

Preamble

Purpose of this Document

The purpose of this Standard Operating Procedure (SOP) is to provide Regional Directors, the Directorate: Facility Management and their child protection personnel with guidelines and procedures in the application of canalisation services. The roles and responsibilities of various officials are included in the SOP with canalisation procedures and commensurate annexures to assist officials with implementation.

Amendment Log

Version number	Date	Summary of changes
3	Sept 2018	Removed requirement that canalisation officer must report directly to social work manager Reduced minimum number of years of experience that a canalisation officer should have from six to five Made requirement that a canalisation officer have no caseload of his or her own a preference rather than a compulsory requirement
4	31 March 2021	Revised Standard Operating Procedures for Canalisation Services

Approval

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1 BACKGROUND

The Children's Act 38 of 2005, (hereinafter referred to as the Children's Act) authorizes the Provincial Head of Social Development (HOD) to perform certain statutory functions aimed at the management of statutory cases and facilitation of the movement of children. Canalisation is a social work administration function and entails the management of statutory cases and the performance of duties and powers that are delegated by the HOD in terms of s311 of the Children's Act 38 of 2005.

2 PURPOSE

The purpose of this standard operating procedure is to provide guidelines for the application of canalisation services following a delegation by the HOD.

3 INTENDED AUDIENCE

This document is intended for all designated social workers (DSD and NGOs), supervisors, social work managers and authorized canalisation officers in the Western Cape, inclusive of the Directorate: Facility Management.

4 LINKS TO OTHER STANDARD OPERATING PROCEDURES

This standard operating procedure is aligned with:

- a) The standard operating procedure for the removal of a child in terms of s152 of the Children's Act
- b) The standard operating procedure for the removal of a child in terms of s151 of the Children's Act
- c) The standard operating procedure for the claiming of safety parent and child escort fees; and
- d) The standard operating procedure for recruitment, screening, validation and training of safety and foster care parent.

5 DEFINITIONS

5.1 CANALISATION

The term 'canalisation' refers to the management and movement of children in the statutory child protection system. It includes record-keeping and tracking of all children entering, moving within, or exiting alternative care.

5.2 CANALISATION OFFICER

A canalisation officer is a designated child protection social worker in the employ of the Department of Social Development (DSD) who administers and regulates the stay, movement and exit of children in the alternative care system. Canalisation officers within the Directorate: Facility Management and Quality Monitoring are responsible for the recording and tracking of all children in CYCCs across the Province. In terms of Chapter 11 of the Children's Act the Head of Department for Social Development (HOD) has certain powers and duties, which he delegates to canalisation officers in terms of s311 of the Children's Act. Note that non-government organizations cannot perform canalisation duties. A Canalisation Appointment Letter is issued to a canalisation officer annually, confirming his/her appointment, powers and duties of canalisation.

5.3 CASE MANAGER

The case manager is the designated social worker responsible for the placement of the child. When the case is transferred to the foster care team, the foster care social worker becomes responsible for the supervision and support services of the placement. This is not always the process followed within the smaller NGO sector where the social worker may be responsible for both the placement and foster care supervision services of the case.

6 ROLES AND RESPONSIBILITIES FOR DSD STAFF IN THE EXECUTION OF CANALISATION

6.1 REGISTRY

Registry plays a significant role in the canalisation process. When the case file is requested from Registry for the extension of a notice, Registry is required to provide the case file to the canalisation officer/foster care supervisor within 3 (three) working days of the request. Challenges experienced must be escalated by the canalisation supervisor to the social work manager.

6.2 CANALISATION OFFICERS

The role of the canalisation officer is to quality assure all applications for canalisation notices submitted to the Canalisation Unit (canalisation officers and canalisation supervisors). This quality assurance function by the canalisation officer is the first level of assurance within the canalisation process.

The responsibilities of the canalisation officer are as follows:

1. Upon receipt of the application, the canalisation officer will request the case file from Registry. NGOs/DCPOs will submit their application packages to Canalisation Services by hand or via email.
2. Upon receipt of the case file, the canalisation officer will place a Canalisation Checklist (Annexure 1) on the file, will quality assure applications received and complete the checklist to ensure all documentation is in place, which must include the report/s, order/s and supporting documentation in respect of the child.
3. The canalisation officer will print and file all correspondence concerning the canalisation process on the case file.
4. Only when an application for a notice is complete, the canalisation officer will proceed to issue the notice.
5. The canalisation officer must complete Annexure 2 after the report has been quality assured and attach the Annexure 2 to the report before it is submitted to the Children's Court.
6. Canalisation officers must request copies of all foster care extension orders from the children's court for their area of jurisdiction.
7. Once a court order has been received from the children's court and/or a notice has been issued, the canalisation officer will capture the orders and notices on the Notices and Orders Register (Annexure 8).
8. Canalisation officers must issue reminders (Annexure 14) to case managers or relevant NGOs/DCPOs in the region, 4 months before any court order expires. This process is only applicable until the full implementation of the Foster Care Web Based Tool.
9. The canalisation officer must submit copies of the extension orders to the Regional Foster Care Coordinator (RFCC) for the foster care management process.
10. Canalisation officers must, in collaboration with the supervisor, on a bi-annual basis, train the region, including NGOs/DCPOs, on canalisation.
11. Canalisation officers must keep up-to-date registers, utilizing tools marked as Annexures 1, 2, 4, 7, 8, 9, 10, 11, 12, 13, 14 and 17 and submit these registers to the canalisation supervisor on a monthly basis.

6.3 CASE MANAGER

1. Case managers are responsible to conduct regular foster care supervision services to ensure the safety and well-being of a child in alternative care.

2. There are 3 plans (permanency plan, foster care plan, individual development plan) that must be put in place once a case manager recommends that a child must be removed from the care of his/her parent or caregiver and be placed in alternative care. Each plan has specific timeframes. See the Canalisation Training Manual for a discussion on the plans and timeframes.
3. Receive all written notices in terms of sections 159, 168, 169, 170, 171, 173, 174, 175 and 176 from the canalisation officer and provide copies to the clients where necessary.
4. Send all foster care applications in terms of sections 159, 168, 169, 170, 171, 173, 174, 175 and 176 to the canalisation officer for decision and for the issuing of the notice.
5. Where applications are incomplete and/or non-compliant, case managers must comply with the canalisation officer's request within 3 days of receiving the request. Also see Canalisation Training Manual.
6. Where relevant, case managers (DSD and NGOs) must submit their canalised reports to the children's court with a covering letter (Annexure 2) as completed by the canalisation officer.
7. Ensure the final cancellation of the foster care order when a child is transferred from foster care to a CYCC, or dies in foster care, or is discharged from the effects of the court order in terms of s175; and notify SASSA accordingly for grant de-activation.

6.4 SOCIAL WORK SUPERVISORS' RESPONSIBILITIES TO CASE MANAGERS

1. The role of the social work supervisor is to provide ongoing supervision, support, quality assurance and case file auditing that must be evident on the case file, in terms of foster care supervision cases.
2. Only social work supervisors who have been issued with a Canalisation Letter from the HOD may approve and issue notices.
3. The social work supervisor will quality assure all foster care extension reports and will complete, date and sign the supervisor section on the Case Management Checklist (Annexure 16) for each report as evidence of quality assurance.
4. The social work supervisor will submit the case file and application for a notice to the canalisation supervisor. If the application is incomplete, the case file and application will be returned to the social work supervisor who will resubmit the completed application.

6.5 CANALISATION SUPERVISORS (SOCIAL WORK SUPERVISORS/PIC MANAGERS/ SOCIAL WORK MANAGERS/PIC SUPERVISORS WHO SUPERVISE CANALISATION OFFICERS)

1. The canalisation supervisor will receive the case file and application for a notice from the social work supervisor, will allocate the case file to a canalisation officer and enter the case into a Canalisation Register (Annexure 9).
2. If the canalisation officer or canalisation supervisor, in their respective quality assurance processes, identify queries/problems (e.g. outstanding information or documentation), it will be noted under the comments section of the Canalisation Checklist (Annexure 1) and will be escalated to the case manager and social work supervisor for their resolution within 3 days. If they fail to respond within the 3-day period, the case file will be returned to the social work supervisor.
3. Ensure the canalisation officer attends to training on the Canalisation SOP in the region bi-annually.

6.6 SOCIAL WORK MANAGERS

The social work manager generally has an oversight monitoring role. However, some social work managers also perform the role of canalisation supervisor as set out at 6.5. and in such instances are responsible to perform the functions at 6.5.

6.7 PIC MANAGERS

1. Must ensure effective systems are implemented for the proper functioning of the canalisation unit.
2. Receive a copy of the monthly foster care progress report from the canalisation supervisor and endorse before submitting to the Foster Care Programme at the Provincial Office.
3. Facilitate and coordinate regional panel meetings convened to discuss complex social work cases or contested matters.

6.8 REGIONAL DIRECTOR/DIRECTOR FACILITY MANAGEMENT

1. Ensure that the canalisation unit has adequate support and resources to fulfil its duties.
2. Ensure adherence to this SOP by all relevant staff members and perform periodic spot checks for this purpose.
3. Ensure the implementation of the web-based foster care monitoring tool in the regions.

4. Collation of all relevant canalisation information for submission to the Provincial Programme Office as requested by the National Department. Director: Facility Management to ensure collation of all relevant canalisation information requested by the National Department.

6.9 FOSTER CARE PROGRAMME

1. Manage foster care processes and ensure compliance in the Province.
2. Ensure implementation of the canalisation SOP in the Province.
3. Receive and quality assure s169 applications before they are endorsed by the Director: Children and Families and maintain the s169 Provincial Register.
4. Receive Form 40s from regions, maintain the Form 40 Register and escalate to Office of the Head of Department, Inspectorate Unit.
5. Receive and process inter-provincial transfers of children in foster care.
6. Ensure the review of the Canalisation SOP.
7. Conduct training on canalisation in the Province.

6.10 PANEL MEETINGS

(Panels consist of a minimum of 5 members to make a quorum. Composition depends on the presenting problem/s and can include external stakeholders)

1. If there are disagreements or uncertainty between the canalisation officer, case manager and/or social work supervisor on what is in the best interests of the child, a panel meeting can be convened between the parties to resolve the matter.
2. It is the responsibility of the PIC Manager to share the list of registered and de-registered safety and foster parents with the region and to submit the list to the Provincial Foster Care Programme monthly.

6.11 ESCALATION AND RESOLUTION PROCEDURES

When officials (including supervisors) experience difficulties in performing their canalisation functions, the official may escalate the matter to his/her supervisor for attention and intervention.

7 PROCEDURES FOR CANALISATION

Note:

1. All canalisation reports must be dated and signed by the case manager and the supervisor.
2. The information in canalisation reports must correlate with the information in the source documents.

7.1 PROCEDURE FOR FORM 39 APPLICATIONS

The issuing of a Form 39 is a canalisation function. Form 39's may thus only be issued by a canalisation officer to negate the possibility of a conflict of interest. A prospective foster parent is allowed a maximum of six (6) foster/temporary safe care children in their alternative care at any given time. See s185 of the Children's Act for exceptions to this rule. This number does not include the prospective foster parent's own/birth/adopted children.

MINIMUM REQUIREMENTS

When applying for a Form 39, the case manager must ensure that the screening report contains the following information:

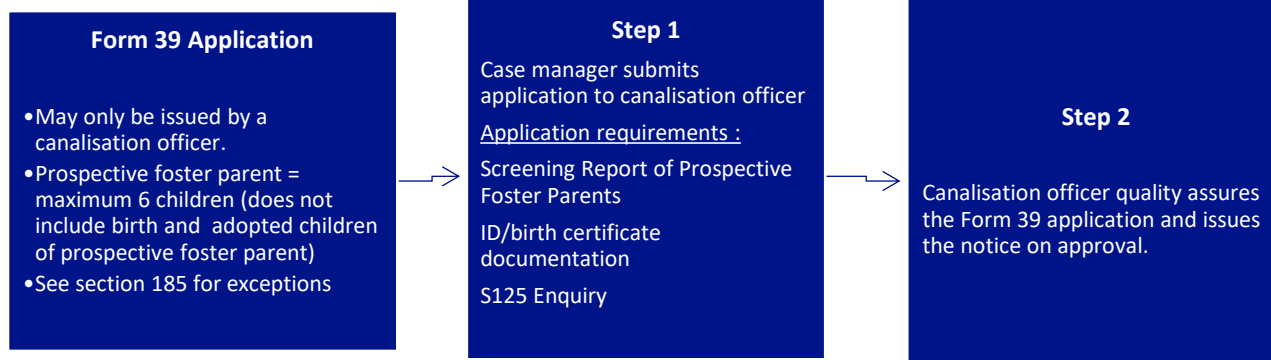
- a) suitability of the prospective foster parent and all members of the household over the age of 18 years.
- b) suitability of the placement (premises) where the child will be cared for.
- c) How the placement will meet the needs of the child/ren, i.e. nutritional needs, special needs (dietary/physical/mental), sleeping arrangements and facilities.
- d) If any circumstances are not conducive, the Form 39 will not be issued, and children cannot be placed in the prospective foster parent's care until the concern is resolved and the placement is conducive to the child/ren's health, safety, wellbeing and development.

S125 enquiry checks to be conducted in respect of the prospective foster parents and all other members of the household over the age of 18 years.

SOURCE DOCUMENTS

1. Screening report of the prospective foster parents
2. ID documents of prospective foster parents
3. S125 enquiry notification of prospective foster parents as well as all other persons in the household who are over the age of 18 years

FLOW CHART - FORM 39 APPLICATION

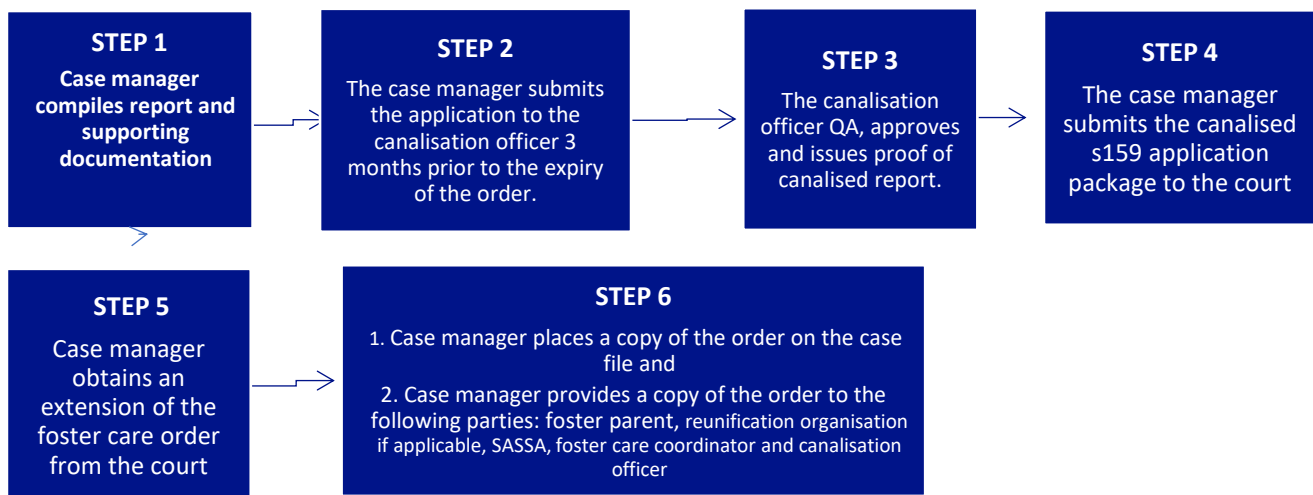


7.2 PROCEDURE FOR EXTENSION OF A COURT ORDER IN TERMS OF s159 OF THE CHILDREN'S ACT

The canalisation officer receives a report from a case manager and checks compliance. The application must be sent to the canalisation officer 3 (three) months before the expiry date of the order.

MINIMUM REQUIREMENTS (MONITORING AND SUPERVISION SERVICES)	SOURCE DOCUMENTS
<ol style="list-style-type: none"> 1. The North Gauteng High Court Order (NGHCO) directs the DSD to issue administrative notices. However, the DSD supports the full implementation of the Children's Act and thus case managers should submit all s159 applications for extension to the children's court. 2. Administrative notices thus only become applicable in cases where a children's court directs that the extension should be issued by a canalisation officer, in which case the case manager must obtain proof of the directive. 3. All case files where an administrative notice will be issued must thus reflect a record of the s159 application, including the s159 report, the children's court directive, source documents and the administrative notice. 4. Please note: foster child grants are not transferable between foster parents. 5. A Reunification Report must accompany the s159 application, indicating the circumstances of the biological parents with an indication as to why reunification is not possible. 6. When a s159 extension is contested by the biological parents or by a significant person in the child's life, the matter must be referred to the children's court. 7. The possibility of an adoption in terms of s157 must be considered, where applicable. 8. The original court order and subsequent written notice remain on the canalisation file. 	<ol style="list-style-type: none"> 1. Valid court order 2. S125 enquiry notification 3. Birth certificate/ID of the child 4. Proof of school attendance 5. Identity documents of the foster parents 6. Reunification report (see below) 7. Written views of the child, foster parents and biological parents (if biological parents are untraceable, the case manager must provide an affidavit reflecting evidence of attempts to trace parents. If a last known address is available, a home visit must be conducted to this address before a finding can be made that the biological parents are untraceable. 8. A Permanency Plan, Foster Care Plan and IDP must be attached to the report.

FLOW CHART – S159 EXTENSION APPLICATIONS



7.3 PROCEDURE FOR LEAVE OF ABSENCE IN TERMS OF s168 OF THE CHILDREN'S ACT

A s168 application gives leave of absence within the borders of the Republic. It is not to be used as a mechanism whereby a child can be removed in an emergency or whereby a child can be placed when a placement breaks down. S168 applications provide leave of absence for children in alternative care and must be canalised. Leave of absence may thus only be authorised by a canalisation officer. The canalisation officer may issue a s168 notice for a period not exceeding 6 weeks at any given time.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> 1. The case manager submits a s168 report and source documents, to the canalisation officer at least 2 weeks before the commencement of the leave of absence. 2. It must be noted that a s125 enquiry notification is a prerequisite for placement with a non-family member. 3. The s168 application must include information on special conditions pertaining to the child, e.g., special dietary requirements, allergies, prescribed medications, special medical care conditions, special routines, travel arrangements, etc. identified by the case manager. 4. If the child will be spending the leave of absence outside the region, the case manager must obtain a screening report and Form 39 (including s125 enquiry notification) from the region where the child will be spending the leave. 5. The canalisation officer must follow up upon expiry of the leave of absence to confirm that the child has returned to his/her legal placement and must then update the s168 Register. 6. Approval of leave of absence for children in Child and Youth Care Facilities must be managed by the Central Admissions Office. 7. <u>When a child is in temporary safe care</u> pending finalization of the Children's Court Inquiry, the case manager must submit applications for leave of absence to the relevant children's court. The canalisation officer should only consider the application if the children's court diverts the matter to the canalisation officer for consideration. The payment of safety fees claims remains the responsibility of the case manager. The Central Admissions Office must also alert the relevant regional canalisation officer to ensure he or she updates his or her register accordingly. 	<ol style="list-style-type: none"> 1. s168 report (Annexure H report) 2. Valid court order 3. Form 39 4. Birth certificate/ID of the child 5. Identity document of the person providing care during leave of absence 6. If the child is going to a ROAR Programme, confirmation of the placement is require

FLOWCHART – S168 PROCEDURE

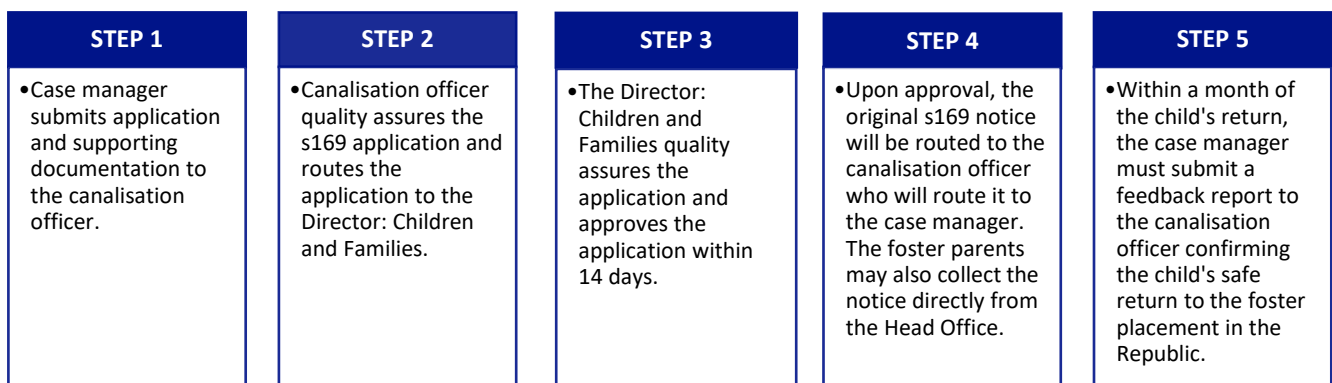
STEP 1	NOTE	NOTE	STEP 2	STEP 3	STEP 4
<ul style="list-style-type: none"> • Case manager submits report (which includes any special conditions) and supporting documents to canalisation officer 2 weeks prior to leave. 	<ul style="list-style-type: none"> • s125 enquiry notification must be obtained for an unrelated placement. 	<ul style="list-style-type: none"> • If the child will be spending the leave outside the region, the case manager must obtain a screening report and Form 39 (incl s125 enquiry notification). 	<ul style="list-style-type: none"> • The canalisation officer will quality assure, approve and issue the s168 notice. 	<ul style="list-style-type: none"> • Canalisation officer will provide case manager with a copy of the notice for case file and for the leave of absence carer. 	<ul style="list-style-type: none"> • Upon expiry of the leave of absence, the canalisation officer must follow up to confirm that the child has returned to his/her legal placement.

7.4 PROCEDURE FOR APPLICATIONS FOR CHILDREN IN ALTERNATIVE CARE TO LEAVE THE COUNTRY IN TERMS OF s169 OF THE CHILDREN'S ACT

All s169 applications for children in foster care to leave the Republic, must be submitted to the Director: Children and Families at Provincial Office for approval. For children in facilities, the s169 applications are submitted to the Director: Facilities Management. Please note that the Director: Children and Families has 14 days to consider this application.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> 1. The canalisation officer receives the application from the case manager or NGO and screens it against the s169 Checklist (Annexure 4) to see if all necessary documents are attached before routing the application to the relevant Director. 2. For children in facilities, once the application is approved, the Directorate: Facility Management must provide a copy of the approval notice to the regional canalisation officer. 3. Once the canalisation officer receives the s169 approval notice, the canalisation officer will record the decision on the Annexure 8 (Register for Notices/Orders) and the canalisation supervisor will complete the Annexure 9 (Register for Canalisation Supervisor) and route the approval to the case manager. 4. Within a month of the child's return, the case manager must submit a report (Annexure 6- S169 Feedback Report) to the canalisation officer confirming the child's safe return to the foster placement in the Republic. The canalisation officer then channels this report to the Director: Children and Families. The canalisation officer at Facility Management must inform the regional canalisation officer as well as the external case manager upon the return of the child. 5. The Provincial Foster Care Programme will update the s169 Register accordingly (Annexure 7). 	<p>Submit the original Annexure 5 (s169 Application) with the source documents as outlined in Annexure 4 (s169 Checklist). Also refer to the Canalisation Training Manual for important considerations pertaining to the source documents.</p>

FLOW CHART – S169 APPLICATIONS



7.5 PROCEDURE FOR CHILD ABSCONDMENT FROM ALTERNATIVE CARE IN TERMS OF s170 OF THE CHILDREN'S ACT

The canalisation officer receives a report from the case manager on the abscondment of a child from alternative care.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> 1. Upon receiving a report that a child has absconded, a case manager must, without delay (within 24 hours) inform SAPS, the relevant canalisation officer and the children's court about the child's abscondment. 2. As soon as the child is apprehended or has returned of his/her own accord to the centre or person in whose care the child was before absconding, the case manager must, without delay, bring the child before the relevant children's court. 3. It is the duty of the case manager and the social work supervisor to ensure that the child is brought before the children's court. 4. The case manager may place the child in temporary safe care in terms of s152 of the Children's Act until the child is brought before a children's court, especially if the child cannot be brought before the children's court on the same day that he/she is apprehended or return to the placement (see s170(5)). 5. In cases where an Absconder's Inquiry has been held, and the children's court issues an order removing and placing the child in another alternative care placement (away from the placement that the child absconded from), the matter must be submitted for attention of the canalisation officer who will then proceed to issue a section 171, 173 or 175 notice. 6. When a canalisation officer receives a report about a child who has absconded, he/she must complete the Absconders' Register (Annexure 11). 7. In a case where a child is placed in a CYCC, the CYCC social worker will follow the process at point (1) above and will also inform the case manager and the regional canalisation officer of the abscondment. 	<ol style="list-style-type: none"> 1. Report to the children's court. 2. Valid court order 3. ID/birth certificate of child 4. Affidavit from foster parent giving reasons why the child absconded from his/her placement 5. Written notification to inform the canalisation officer of the abscondment which must include the SAPS case number, following the report to SAPS.

FLOW CHART – S170 APPLICATION

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
<ul style="list-style-type: none"> • Notify SAPS, children's court and canalisation officer of the abscondment within 24 hours. • In the case of a CYCC absconders, notify the case manager and canalisation officer. • Case Manager must investigate the whereabouts of the child in an attempt to locate the child 	<ul style="list-style-type: none"> • If the child has been apprehended or returned to placement, the case manager may place the child in temporary safe care in terms of s152. 	<ul style="list-style-type: none"> • A child who is apprehended or who has returned to the placement of his/her own accord, must be brought before a children's court without delay. 	<ul style="list-style-type: none"> • An Absconders Inquiry will be held whereby the court will make an order to either return the child to her/his placement or place the child in another alternative care placement. 	<ul style="list-style-type: none"> • In the case where the children's court places the child in another alternative care placement, the matter must be submitted to the Canalisation Officer who will issue a S171, S173 or s175. 	<ul style="list-style-type: none"> • The Canalisation Officer must complete the Absconders Register, Annexure 11

7.6 TRANSFER OF CHILDREN IN ALTERNATIVE CARE IN TERMS OF s171

The canalisation officer receives an application from DSD or DCPO for the transfer of a child in alternative care from one care position to another.

7.6.1 PROCEDURE FOR THE TRANSFER OF CHILDREN FROM ONE FOSTER PARENT TO ANOTHER FOSTER PARENT IN TERMS OF s171 OF THE CHILDREN'S ACT

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> 1. A child in alternative care may only be transferred from one placement to another via a s171 transfer process. The notice should be issued by the canalisation officer before the child is moved. 2. If an order in respect of a child in alternative care has lapsed, a canalisation officer cannot issue a valid transfer notice. It is then the responsibility of the case manager to approach the relevant children's court for a valid court order. 3. Only if the children's court refuses to grant a valid order and directs the case manager to canalisation services for an administrative notice in terms of the North Gauteng High Court Order in writing, may the canalisation officer issue the s159 administrative notice followed by the s171 transfer notice may thus only be issued in terms of valid s159 orders. 4. The canalisation officer should be guided by the date provided by the case manager for transfer of the child. 5. Upon approval, the canalisation officer prepares the transfer notice and covering letter. The original transfer notice remains on the canalisation file. 6. The canalisation officer needs to issue seven (7) original copies of the notice, See the Canalisation Training Manual for more information. 7. The canalisation supervisor must update the Canalisation Register (Annexure 9) accordingly. 8. If a s186 order is in place, it is recommended that the case manager lodge a transfer application with the children's court. 	<ol style="list-style-type: none"> 1. S171 transfer report (including clearly stipulated transfer date) 2. The views of the child 3. Recent school report (proof of enrolment for the current year). 4. If the child will change schools, a school transfer is required. 5. Views of the biological parents (to be included in the s171 transfer report, explaining the circumstances of the biological parents, and setting out why reunification is not possible at this stage and that the biological parents do not contest the transfer). 6. A valid court order 7. Proof of cancellation of the foster child grant. 8. Screening report of the new foster parent. 9. S125 enquiry notification of the new foster parents. 10. ID documents of the new foster parents. 11. ID/birth certificate of the child. 12. Views of the former and prospective foster parents concerning the transfer.

FLOW CHART – S171 APPLICATION FOSTER CARE TO FOSTER CARE

STEP 1	STEP 2	STEP 3	STEP 4	NOTE
<ul style="list-style-type: none"> •Case manager compiles report and supporting documentation and submits to the canalisation officer 	<ul style="list-style-type: none"> •Canalisation officer QA, approves and issues the s171 notice. 	<ul style="list-style-type: none"> •Canalisation officer provides case manager with a s171 notice. 	<ul style="list-style-type: none"> •Canalisation officer updates the Canalisation Register, Annexure 9. 	<ul style="list-style-type: none"> •See point 8 above in respect of children placed on a s186 court order.

7.6.2 TRANSFER FROM FOSTER CARE PLACEMENT TO A CHILD AND YOUTH CARE CENTRE IN TERMS OF s171

A children's court must ratify a transfer notice before a child can be transferred deeper into the alternative care system. The motivation for transfer must be indicated clearly in the s171 report.

When transfer from a foster placement to a CYCC is decided as being in the best interest of the child, the Centralised Admissions Office first needs to identify the appropriate CYCC providing the required programme, depending on available space.

MINIMUM REQUIREMENTS

SOURCE DOCUMENTS

THE 3 STAGES FOR TRANSFER FROM FOSTER PLACEMENT TO CYCC

FIRST STAGE – APPLICATION FOR PLACEMENT IN A CYCC

A placement at a CYCC must be identified and approved.

The case manager:

- a. must complete the prescribed application pack of the Directorate: Facility Management and submit such application with all the required documentation to the Centralised Admissions Office.
- b. Central Admissions Office may arrange a panel discussion with all parties involved to ensure the best interest of the child.
- c. Once Central Admissions Office has matched the child to a facility and a programme, it will issue the confirmation of placement letter reflecting the date of admission.

1ST STAGE

1. Directorate Facility Management Application Pack
2. Valid court order
3. ID/birth certificate of child
4. Supporting documentation as stipulated in the Central Admissions Pack

SECOND STAGE – APPLICATION TO THE CANALISATION OFFICER

- a. The case manager must immediately, upon receipt of the confirmation of placement letter and proof of programme from the Central Admissions Office, submit the application with source documents for a notice in terms of s171(6)(a) to the canalisation officer.
- b. The canalisation officer must ensure that the s171 notice is issued within sufficient time to allow for the matter to be submitted to the children's court by the case manager for ratification, ALL of which must occur before the date of admission to the CYCC.

2ND STAGE

1. s171 transfer report
2. Valid court order
3. Confirmation of placement letter from Central Admissions Office
4. CYCC residential programme
5. Copy of child's ID/birth certificate
6. Views of the child
7. Transfer of school report (if applicable)
8. Views of the biological parent (if traceable)
9. Views of the foster parent

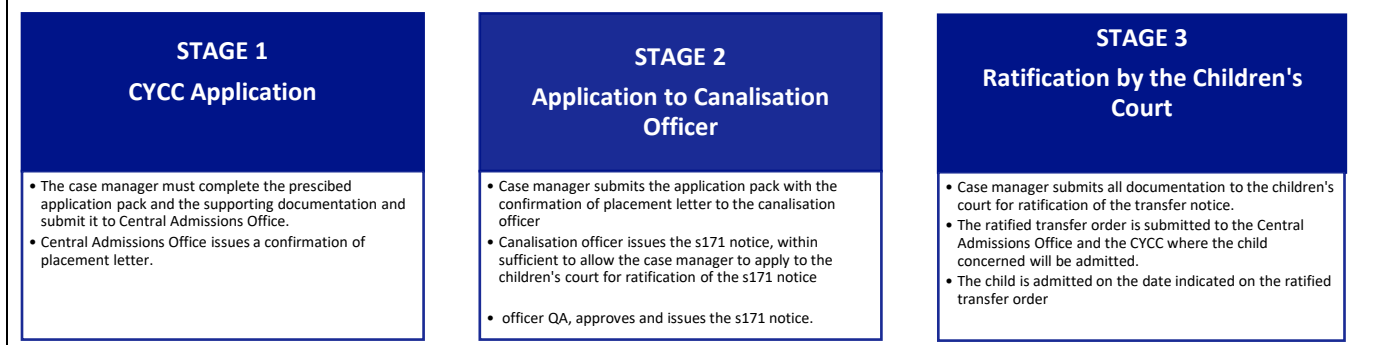
THIRD STAGE – RATIFICATION OF THE s171 NOTICE AT THE CHILDREN'S COURT

- a) Once the children's court has ratified the transfer notice and made it an order of court, the case manager must submit the ratified transfer order to the Centralised Admissions Office and the CYCC where the child is to be admitted.
- b) The child will then be admitted to the relevant CYCC on the date indicated on the ratified transfer notice.

3RD STAGE

1. Transfer report
2. Valid court order
3. s171 notice
4. Confirmation of placement letter
5. CYCC residential programme
6. Copy of child's ID/birth certificate
7. Views of the child
8. Transfer of school report (if applicable)
9. Views of the biological parent (if traceable)
10. Views of the foster parent

THREE STAGES – FOSTER CARE TO CYCC

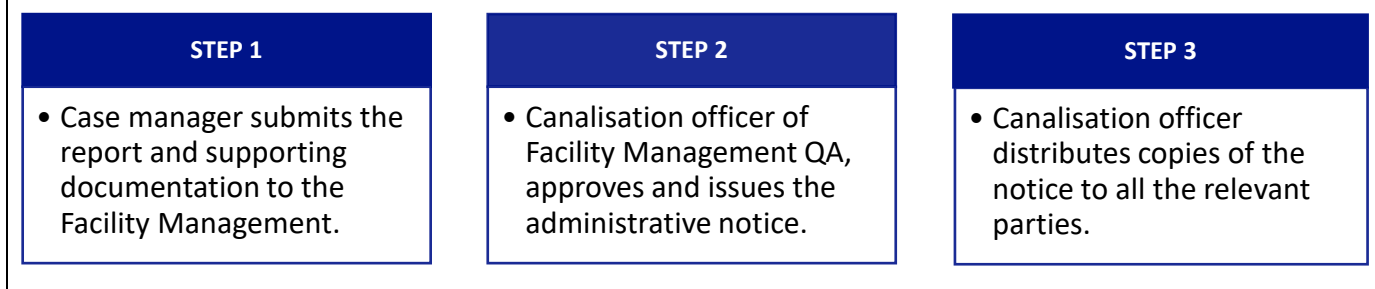


7.6.3 TRANSFER FROM A CHILD AND YOUTH CARE CENTRE (CYCC) TO FOSTER CARE IN TERMS OF s171 OF THE CHILDREN'S ACT

The case manager needs to submit this application to the canalisation officer of the Facility Management requesting transfer from a CYCC to a foster placement.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> 1. The case manager, (internal social worker) in the CYCC must coordinate the investigation in consultation with the external social worker (the designated social worker). 2. The NGO/DSD case manager compiles a s171 report which includes a recommendation to Facility Management and attaches reunification and screening reports and source documents. 3. The facility's canalisation officer will process the s171 application and must inform the regional canalisation officer of the movement of the child. 4. Copies of the transfer notice or discharge notice must be sent to the manager of the applicable CYCC, external case manager and the responsible canalisation officer at the district/regional office (ss 171, 173, 174 and 175). 	<ol style="list-style-type: none"> 1. s171 transfer report 2. Valid court order 3. Child's ID/birth certificate 4. Views of the child 5. 5. Transfer of school report (if applicable) 6. 6. Views of the biological parent (if traceable) 7. Screening report of prospective foster parent 8. ID of the prospective foster parent 9. S125 enquiry outcome of prospective foster parent and all other persons in the common household who are older than 18 years, including the adoptive and natural children of the prospective foster parents.

FLOW CHART – S171 APPLICATION FROM CYCC TO FOSTER CARE

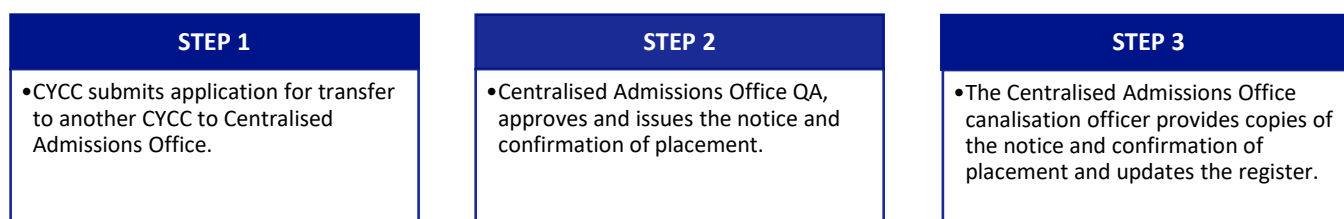


7.6.4 TRANSFER FROM A CHILD AND YOUTH CARE CENTRE (CYCC) TO ANOTHER CHILD AND YOUTH CARE CENTRE (CYCC) IN TERMS OF s171 OF THE CHILDREN'S ACT

From the date the order has been issued and during the placement period in a CYCC, all canalisation functions regarding the child will be conducted by the Directorate: Facility Management. This includes all section 168, 171, 173, 174, 175 and 176 written notices.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> s171(6) states that a s171 transfer may not be given effect to without approval by a children's court if the child is transferred (b) from the care of a CYCC to a secure care or more restrictive CYCC. Hence, it is the statutory responsibility of the case manager to ensure that the s171 notice is submitted to the relevant children's court for ratification, The CYCC social worker sends an application for transfer of a child from one CYCC to another to the Centralised Admissions Office for the Directorate: Facility Management, accompanied by a background report and recommendation by the external social worker/case manager. If the Directorate: Facility Management is satisfied with the application, a s171 transfer notice and confirmation of placement will be issued and the Facility canalisation officer will provide a copy of the transfer notice and the confirmation of placement to the manager of the CYCC, external social worker/case manager and the district/regional canalisation officer. The external case manager must provide the CYCC social worker, relevant regional canalisation officer and the Centralised Admissions Office of the Directorate: Facility Management with a copy of the transfer notice after it has been ratified by the children's court when it is a placement from a level 2 CYCC to a level 3 secure care centre. The Facility Management canalisation officer must update their register accordingly. 	<ol style="list-style-type: none"> s171 transfer report Valid court order Confirmation of placement from Centralised Admissions Office CYCC residential programme Copy of child's ID/birth certificate Views of the child Transfer of school report (if applicable) Views of the biological parent (if traceable)

FLOW CHART – S171 APPLICATIONS FROM CYCC TO CYCC



7.7 TRANSFERS OF FOSTER CARE SERVICES BETWEEN REGIONS AND PROVINCES

Please refer to the Training Manual for the minimum requirements and source documents pertaining to the transfer of foster care services as listed below.

INTER-REGIONAL / INTER-PROVINCIAL TRANSFERS

- | | |
|-------|--|
| 7.7.1 | Child is leaving the region/province |
| 7.7.2 | Child is entering the region (region to region transfer) |

7.7.3	Child is entering the province (province to province transfer) - transfer before the child moves to the WC
7.7.4	Child enters the WC province without WC DSD/NGO's knowledge (i.e. there was no formal transfer process before the child moved to the WC) and the child's order is still valid.
7.7.5	Child enters the WC and the order is not valid.

8 PROCEDURE FOR THE REMOVAL OF A CHILD ALREADY IN ALTERNATIVE CARE IN TERMS OF s173 OF THE CHILDREN'S ACT

A s173 notice is used to safeguard children in alternative care who require emergency protection (during working hours). The canalisation officer then issues an order to place the child in temporary safe care for a period of no longer than 6 months, after which the child must be transferred in terms of the 3 options set out in s173(2). Where required, the case manager may refer the child to the ROAR (Reception, Observation, Assessment and Referral) Programme for the undergoing of substance abuse treatment programmes in the 6-month period.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> The case manager must submit the s173 application to remove the child to the canalisation officer, who must approve the application and provide the case manager with a signed s173 notice before the child can be removed from the placement. If a child in alternative care needs to be removed during working hours, s173 must be used and the case manager should submit the application to the canalisation officer who will issue a s173 transfer notice if the application is approved. Before the expiry of the s173 notice, the case manager must submit a report to the canalisation officer which must include a recommendation in terms of the 3 options listed under s173(2). In terms of the s152 Standard Operating Procedure, the emergency removal (Form 36 removal) of children in alternative care must only be used after hours when the canalisation officer is not available and if the circumstances are as contemplated in s152(1)(a)–(c). The s173 removal of children in CYCCs is the responsibility of the Directorate: Facility Management who must, upon removal of a child in a CYCC, inform the case manager and regional canalisation officer for record purposes. The canalisation supervisor must update the Canalisation Register (Annexure 9) and note the s173 placement in the Notices and Orders Register (Annexure 8). 	<p>S152 PROCEDURE</p> <ol style="list-style-type: none"> Form 36 (5 copies) Form 37 Substantiated statement (attached to Form 36) Copy of child's birth certificate/ID document Other relevant documents if applicable, e.g. medical report. <p>S173 PROCEDURE</p> <ol style="list-style-type: none"> s173 report Valid order Copy of ID/birth certificate Cancellation of the foster child grant (purpose: to prevent the duplication of payment of state funds as a foster parent is only entitled to one state grant)

FLOW CHART – S173 APPLICATIONS

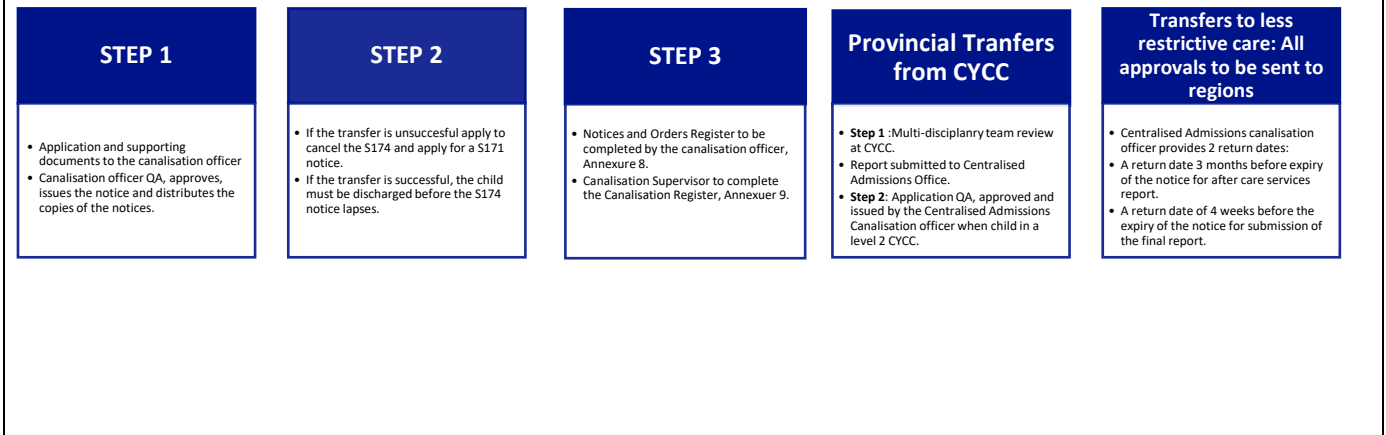
STEP 1	STEP 2	STEP 3
<ul style="list-style-type: none"> Case manager to submit the application and supporting documents to the canalisation officer Canalisation officer QA, approves and issues the s173 application. 	<ul style="list-style-type: none"> Prior to the lapse date of the s173 notice, the case manager must submit a report and source documents to the canalisation officer with a recommendation in terms of one of the three options as listed under s173 (2).. 	<ul style="list-style-type: none"> Canalisation officer QA, approves and issues the appropriate notice. Canalisation officer updates the Notices and Orders issued register, Annexure 8. Canalisation Supervisor updates the Canalisation Register, Annexure 9.

9 PROCEDURE FOR THE PROVISIONAL TRANSFER OF A CHILD IN TERMS OF s174 OF THE CHILDREN'S ACT

When the exit plan is in place, an application in terms of s174 is made to provisionally transfer the child to "test the waters" for feasibility before a more permanent decision is made concerning the child's placement or discharge. The discharge or placement may be done at the end of or at any time during the trial period to confirm the child's placement or discharge from alternative care.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> 1. If the case manager concludes that the provisional transfer was <u>successful</u> and it is in the child's best interests, the case manager will apply to the canalisation officer for a discharge. 2. If, during the trial period of reunification, the case manager concludes that the provisional transfer is <u>unsuccessful</u>, the provisional transfer must be revoked. The case manager must then apply for the revocation of the s174 notice and apply for a s171 transfer. The canalisation officer must revoke the provisional transfer if the child so requests and the case manager so recommends. 3. The child must be discharged or transferred before the s174 notice lapses so that there is no period of time where the child is not covered by a notice protecting him/her. 4. The canalisation officer must enter details of the notice in the Notices Register (Annexure 8) and submit the case file to the canalisation supervisor who will enter it in the Register for Canalisation Supervisor (Annexure 9) and send it to the social work supervisor via Registry. 5. <u>Provisional transfers from CYCC's:</u> <ol style="list-style-type: none"> a) The provisional transfer of a child in a CYCC starts with a multi-disciplinary team review at the CYCC where the child is placed. Once a decision is made, a provisional transfer report endorsed by the CYCC manager and recommendation by the DSD case manager is submitted to the Central Admissions Office canalisation officer. b) The s174 provisional transfer notice is issued by the Central Admissions canalisation officer when it is a child in a Level 2 CYCC and copies must be sent to the CYCC, the external case manager, and regional/DSD canalisation officer. c) A return date is provided 3 months before the expiry of the s174 notice. Once the child is transferred to the placement where he/she will spend the provisional transfer period, the external case manager must monitor the placement and provide two (2) reports concerning the child's placement to the Central Admissions canalisation officer in that six (6) month period: <ol style="list-style-type: none"> i) The first report is an after-care services progress report that is submitted to the Central Admissions canalisation officer after the child is in the placement for three (3) months. ii) The second report is the final report which must be submitted four (4) weeks before the six (6) months provisional transfer period expires. 6. All approvals issued by the Central Admissions canalisation officer must be sent to the region when a child is transferred from a CYCC to a less restrictive alternative care in terms of s174. 	<ol style="list-style-type: none"> 1. s174 report (include whether the initial alternative care circumstances have been resolved) 2. Valid order 3. Child's ID/birth certificate 4. Reunification plan 5. Screening report of the carer/s where the child will be placed 6. S125 enquiry outcome of the new carer/s 7. Proof of cancellation of the foster child grant (proof must be from SOCPEN) 8. The child's views concerning the provisional transfer 9. The views of the biological parents 10. The views of the foster parents

FLOW CHART – S174 APPLICATION



10 PROCEDURE FOR DISCHARGE OF CHILDREN FROM ALTERNATIVE CARE IN TERMS OF s175 OF THE CHILDREN'S ACT

An application for the discharge of a child from alternative care should be submitted by the designated DSD or NGO social worker to the canalisation officer for consideration and can only be considered if the initial reasons for the child's placement in alternative care no longer exist or have been resolved. A s175 discharge does not apply to a young adult (i.e., persons 18 years of age and above) or to deceased children.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> 1. Before a child can be discharged, all processes for reunification must be considered and applied, to ensure a successful discharge in the care of biological parents. If it is not possible to discharge the child into the care of biological parents, the case manager may consider discharging the child into the care of significant others, such as family members or caregivers in the child's life. 2. If the child will not be discharged into the care of the biological parents, the circumstances and reasons why discharge into the care of the biological parents is not an option, must also clearly be set out in the s175 report. 3. The biological parent must be notified, should the child not be discharged into his/her/their care. 4. The case manager must provide evidence that the person, into whose care the child will be discharged, will be able to provide consistent and suitable care to the child concerned. 5. A reunification plan accompanies the s175 application, setting out the details of the plan. 6. The foster care child grant must be cancelled. 7. If a child is to be discharged into the care of a person living in a different province, a background report must be requested from the organization in that jurisdiction on the current circumstances of the person into whose care the child will be discharged. 8. Once the canalisation officer approves the s175 discharge he/she issues the written notice and provides copies. 	<ol style="list-style-type: none"> 1. S175 report (the motivation for discharge must be clearly stipulated). 2. Valid court order 3. Child's ID/birth certificate 4. Reunification plan 5. Proof of cancellation of the foster child grant (SASSA/SOCPEN proof).

<p>9. The canalisation officer must update the Notices and Orders Register (Annexure 8) and the canalisation supervisor must update the Register for Canalisation Supervisor (Annexure 9).</p> <p>10. The canalisation officer must route the case file back to the social work supervisor. If there are no siblings in foster care, the case manager can prepare the case file for closure and submit it to the social work supervisor who will endorse the file closure.</p>	
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FLOW CHART – S175 APPLICATIONS

STEP 1	STEP 2	STEP 3	NOTE
<ul style="list-style-type: none"> Case manager submits the application and the reunification plan to the canalisation officer. 	<ul style="list-style-type: none"> Canalisation officer QA, approves and issues the notice. Canalisation officer distributes copies of the notice. Canalisation officer to complete Annexure 8 Canalisation supervisor to complete Annexure 9 	<ul style="list-style-type: none"> Case manager: Cancel the foster child grant. Prepares the case file for closure, if no other siblings in foster care and submits file to the supervisor for closure. 	<ul style="list-style-type: none"> If a child is to be discharged into the care of a person living in a different province, a background report must be requested from the organization in that jurisdiction on the current circumstances of the person into whose care the child will be discharged

11 PROCEDURE FOR EXTENSION OF A COURT ORDER BEYOND THE AGE OF 18 YEARS IN TERMS OF s176 OF THE CHILDREN'S ACT

In terms of s176(1) of the Children's Act, a person placed in alternative care as a child is entitled, after having reached the age of 18 years, to remain in care until the end of the year in which that person reaches the age of 18 years. S176(2) states that the person may apply to the DSD to remain in alternative care if the caregiver agrees to the continued stay and it is necessary to enable that person to complete his or her education or training (Grade 12, higher education, college education, internship and learnership). For this reason, the person is entitled to the foster child grant until the end of the year in which the person turns 18 or until the age of 21 years.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> S176(1) and s176(2) applications may be brought to the canalisation officer at the same time due to the matric results only being available very late in December/early the following year, hence the canalisation officers must condone late applications using the 3-month condonation period provided for in s176(3) that requires case managers to submit the s176 applications within 3 months after 31 December (i.e., January to March). Please note: S176(2) applications must be brought annually. Canalisation officers may thus not approve s176 applications after 31 March of every year and no backdating of orders may occur. S176(1) and (2) may be a joint application and only one set of documents will be required for both applications, the only difference being that the previous year's school report will be required for the s176(1) application, while the s176(2) application will require proof of academic registration for the new year. The canalisation officer, upon receipt of the s176 applications, checks compliance and issues the s176(1) and (2) written notices. The canalisation officer updates the Notices and Orders Register (Annexure 8) and the canalisation supervisor updates and completes Annexure 9. 	<ol style="list-style-type: none"> Court order Motivation letter for extension (signed and dated by the case manager and supervisor) Consent form (signed and dated by the young person and the foster parent) Foster parent's ID Young person's birth certificate/ID document s176(1) Proof of academic registration for the current calendar year. s176(2) Proof of academic registration for the new year.

FLOW CHART – S176 APPLICATIONS

STEPS 1 - 3

- Case manager submits application and supporting documents to the canalisation officer.
- Canalisation officer QA, approves, issues the notice and distributes the copies of the notices.
- The canalisation officer supervisor updates the Notices and Orders Register (Annexure 8).

NOTE

1. S176(1) and s176(2) applications may be brought to the canalisation officer at the same time due to the matric results only being available very late in December/early the following year, hence the canalisation officers must condone late applications using the 3-month condonation period provided for in s176(3) that requires case managers to submit the s176 applications within 3 months after 31 December (i.e. January to March).

12 TERMINATION OF FOSTER CARE IN TERMS OF s189 OF THE CHILDREN'S ACT

In terms of the Information Guide on the Management of Statutory Services (2014) s189 should only apply for termination of foster care if a child was initially placed in foster care with a view towards adoption. The process in s189 is a court process, whereas s175 is an administrative process.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<ol style="list-style-type: none"> 1. If a canalisation unit (canalisation officer and canalisation supervisor) and a case manager do not agree on whether a child must be discharged from alternative care or whether a child must be discharged in terms of s175 or s189, a panel meeting must be convened to discuss the dispute. 2. Case managers should give preference to an application for discharge in terms of s175 of the Children's Act to: <ol style="list-style-type: none"> a. ensure the child's information is canalised for record purposes and b. to ensure the reunification plan is adhered to, ensuring the child's safety, care and well-being as they are exiting the alternative care system. 	<ol style="list-style-type: none"> 1. S189 report 2. Child's ID or birth certificate 3. ID documents of carer

FLOW CHART – S189 APPLICATIONS

STEP

- A case manager must only bring a s189 application after due consideration has been given to a s175 application and it has been ruled out as an option to terminate foster care.

s175 Application

- If a s175 is considered as an appropriate option, the case manager must submit the discharge report with supporting documentation to the canalisation officer.
- Canalisation officer will QA, approve and issue the s175 notice.
- If no other siblings in foster care, the case file can be prepared for closure and submitted to the supervisor for endorsement.

s189 Application

- The case manager submits the application to the Children's Court.
- The case manager submits a copy of the children's court order to canalisation officer.
- If no other siblings in foster care, the case file can be prepared for closure and submitted to the supervisor for endorsement.

13 PROCEDURE FOR CONSENT TO MEDICAL TREATMENT AND SURGICAL OPERATIONS IN TERMS OF s129 OF THE CHILDREN'S ACT

An application for consent to medical treatment and surgical operation is submitted to the Office of the Head of Department in terms of s129 of the Children's Act.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<p>4. A case manager must only apply to the HOD for consent to medical treatment of or surgical procedure on a child if:</p> <ul style="list-style-type: none"> a) the parent or guardian of that child unreasonably refuses to give consent or to assist the child to give consent, is incapable of giving consent or assisting the child in giving consent, cannot readily be traced, or is deceased (s129(7)), or b) the child him/herself unreasonably refuses to give consent to the medical treatment or the surgical procedure. <p>5. The case manager must submit the application to the canalisation officer who in turn submits the application for consent to the Personal Assistant to the HOD for consideration and permission to be granted.</p> <p>6. The approved and original s129 consent form must be routed back to the canalisation officer and to the case manager respectively.</p>	<ol style="list-style-type: none"> 1. Application letter 2. Form 33 3. Child's ID/birth certificate

FLOW CHART – S129 APPLICATIONS

NOTE
<p>A case manager must only apply to the HOD for a consent to medical treatment of or surgical procedure on a child if:</p> <ul style="list-style-type: none"> a) the parent or guardian of that child unreasonably refuses to give consent or to assist the child to give consent, is incapable of giving consent or assisting the child in giving consent, cannot readily be traced, or is deceased (s129(7)), or b) the child him/herself unreasonably refuses to give consent to the medical treatment or the surgical procedure.

STEPS 1 - 3
<ol style="list-style-type: none"> 1. The case manager must submit the application to the canalisation officer. 2. The canalisation officer submits the application for consent to the Personal Assistant to the HOD for consideration and permission to be granted. 3. The Office of the HOD routes the approved and original s129 consent form back to the canalisation officer and to the case manager.

14 PROCEDURE FOR THE REPORTING OF SERIOUS INJURY, ABUSE OR DEATH OF CHILD IN ALTERNATIVE CARE IN TERMS OF s178 OF THE CHILDREN'S ACT

If a child is seriously injured, abused or dies in alternative care, the case manager must ensure that the carer immediately completes a Form 40 (s178 and Reg 64) when a report of this nature has been made.

MINIMUM REQUIREMENTS	SOURCE DOCUMENTS
<p>If the child died (due to e.g. illness, serious injury, abuse/neglect) See process in Canalisation Training Manual.</p> <p>If the child was seriously injured (e.g. car accident, sports injury etc.) See process Canalisation Training Manual.</p> <p>If the child was abused See process in Canalisation Training Manual.</p>	<ol style="list-style-type: none"> 1. Form 40 2. Medical report (if required) 3. Child's ID or birth certificate 4. Death certificate, if child deceased

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Department of Social Development

Chief Directorate: Children, Families and ECD

Chief Director: Charles Jordan

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