DEPARTMENT OF SOCIAL DEVELOPMENT

PROGRAMME: CHILDREN AND FAMILIES

CONCEPT PAPER

Prepared by: J. Kruger, N Nabela and Children and Families Team Members
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VISION
Resilient families and well being of children

STRATEGIC GOAL
To facilitate resilient, optimally functioning families and communities that care for, protect and develop
Children appropriately

Executive Summary

 The Children and Families programme is at the heart of the Department of Social Development 10 year Integrated Service Delivery Strategy. Five key functions that are all geared towards facilitating optimally functioning families and communities where children are well cared for, protected and developed constitute this programme. These key functions are Early Childhood Development (ECD), Victim Empowerment Programme (VEP), Families, Child Protection and Children in conflict with the law.

 While the children's socio-economic rights are enshrined in the Bill of Rights and in other key legislations, such as the Children's Act 38/2005 as amended, it is common knowledge that the high levels of poverty in South Africa adversely affect these rights. Poverty prevails predominantly in rural families, women-headed households, households headed by older persons and households headed by retrenched farm workers, families affected by HIV/AIDS and child headed households. Despite these challenges, a family remains an important source for protecting children. When there are problems in the family, children are more likely to be at risk, as families do not provide them with the desired protection.

This concept paper describes the current reality that children and families are facing in the Western Cape and outlines the strategies that will be used to care for children and strengthen the family. It is based on the assumption that families are the backbone of society and provides the best environment for children to grow and that a range of support services for children and families needs to be accessible and integrated locally.

The strategy requires a shift in emphasis from statutory intervention to the strengthening of families and communities through awareness and prevention, early intervention and accessible, integrated service delivery at a local level. The point of departure should be the socio-economic development of families as a foundation for their independence, resilience, a sense of continued growth and social integration. Such development should cover the lifespan of family members from early childhood to old age. It is important to note that families are the main source of human capital development. This implies that there is a reciprocal relationship between the family and society, as the family depends on society for financial and material resources to perform its critical functions.

1.   Introduction

The purpose of the programme is to facilitate resilient, optimally functioning families and communities that care for, protect and develop children appropriately.
 This programme underpins all the work that the Department of Social Development does because families are the backbone of society and have a responsibility for the well being of children.

In line with the Social Transformation Programme, the children and family programme will strengthen the current safety nets for children and families with a special focus on the identified geographical areas of the province as indicated in the PGDS. The programme will further intensify its efforts towards integrated service delivery through mobilizing, partnering and collaborating with a range of service providers across the province, working closely with other government departments, other spheres of government and community structures

2.   Definition and Concepts

a)   Family

 "A family is a group of persons united by the ties of marriage, blood, adoption or cohabitation, characterised by a common residence or not, interacting and communicating with one another in their respective family roles, maintaining a common culture and governed by family rules". This definition is in line with the African Union Plan of Action for Families in Africa, which delineates three dimensions of the family:
- a psycho-biological unit where members are linked together by blood ties, kinship relationships, personal feelings, and emotional bonds of its members;
- a social unit where members live together in the same household and share tasks and social functions; and
- a basic economic production unit

b)   Family at risk
A family that is socially isolated is subject to the least empowering circumstances, is without support systems and or adult supervision, not linked to resources, does not function due to various challenges that expose family members to circumstances that are detrimental to their development and may have an imminent risk of removal. Such a family requires intervention to be able to function effectively (Draft National Family Policy: 2006)

c)   Family in crisis

These are generally families that function well enough to cope with daily challenges, but which experience a crisis as a result of sudden trauma or setback, such as death, disability, unemployment, rape, and violence among others. In such instances, urgent intervention may be required to assist families to manage the crisis until such time that they can revert to their own coping skills and systems

d)   Family Resilience

Family resilience is the ability of the family to withstand and rebound from adversity and from challenges that they face.

e)   Moral Regeneration

Moral Regeneration ensures that family members revive moral values that guide acceptable standards of behaviour that contribute to the well being of families, communities and the broader

society. Moral values guide day-to-day living and are principles that express the ideas about the worth or importance of certain qualities and standards for behaviour generally accepted by a particular group, community or society and which members personally feel are important

f)   A child

A person under the age of 18 years (Children's Act 38/2005 as amended)

g)   Early Childhood Development

Early Childhood Development is the process by which children from birth to nine years grow and thrive physically, mentally, emotionally, morally and socially.
Early Childhood Development therefore does not simply refer to a facility, site or crèche. It is a range of services provided to young children to enhance their holistic development, to ensure they are cared for and protected.

h)   Abuse

In relation to a child means any form of harm or mal treatment deliberately inflicted on a child and includes:
- Physical assault or emotional abuse of a child or the deliberate neglect of a child
- Sexually abusing a child or allowing a child to be sexually abused
- Bullying by another child
- Labour practice that exploits a child or
- Exposing or subjecting a child to behaviour that may harm the child psychologically or emotionally (Children's Act 38/2005 as amended)

i)   Child Poverty

Child poverty refers to a situation where children do not have enough resources to grow healthy and strong, to get an education, to live in a good and safe environment, and to fulfil their potential. Where children are deprived of the resources needed to grow and develop, they are living in poverty. (South African CHILD GAUGE 2006; Children's Institute: University of Cape Town)

j)   Asset Based Community Development (ABCD)

Asset Based Community Development is an alternative to needs-based approaches to development.
It acknowledges that each community boasts a unique combination of assets upon which to build its future. A thorough map of these assets would provide one with an inventory of gifts, skills and capacities of the community's residents, identifying a vast and often surprising array of individual talents and productive skills, few of which are often mobilised for community-building purposes. It highlights the "giftedness" of every individual that is particularly important for persons who find themselves marginalised by communities. If a community development process is to be asset-based and internally focused, then it will have to be "relationship driven". One of the central challenges would therefore be to constantly build and rebuild relationships between and among local residents, local organisations and local institutions. Interdependence is therefore critical for the efficacy of Asset Based Community Development.

3.   Legislation and International Obligations

There is a wide range of legislative and other mandates impacting on families and children that need to be implemented and monitored for compliance. The following laws (amongst others) provide the foundation for the services rendered by this programme.

Legislation affecting Children and Families

International Obligations

South Africa is signatory to various United Nations and other international conventions and agreements that suggest international standards and guidelines for the protection of individuals.

- UN Convention on the Rights of the Child
- African Charter on the Rights and Welfare on the Child (African Children's Charter)
- Malta Statement
- Copenhagen Declaration on Social Development, 1995
- Hague Convention on the Protection of Children and Cooperation in Respect of International Country Adoption
- Hague Convention on Civil Aspects of International Child Abduction

South African Legislation

- Constitution of the Republic of South Africa, 1996.

  The Bill of Rights as described in Chapter 2 of the Constitution is the cornerstone of democracy in South Africa. It enshrines the rights of people in our country and affirms the democratic values of human dignity, equality and freedom. The State must respect, protect, promote, and fulfil the rights in the Bill of Rights.

- Child Care Act, Act 74 of 1983

  As amended the Act, 1983, provides for the establishment of children's courts, the protection en welfare of children, for the adoption of children and for the establishment of facilities of care and treatment of children.

- Children's Act, Act 38 of 2005

  Gives effect to certain rights of children as contained in the Constitution, sets out principles relating to the care and protection of children and define parental responsibilities and rights.

- Children's Amendment Act, Act 41 of 2007 makes provision for prevention and early intervention services to families.

- Draft National Family Policy (2006)

- Adoption Matters Amendment Act, Act 56 of 1988

  The Act amended the Child Care Act, 1983, to simplify the granting of legal representation for children in Children's Court proceedings; to provide for the rights of natural fathers where adoption of their children born out of wedlock has been proposed and for certain notice to be given to amend the Natural Fathers of Children born Out of Wedlock Act 1997, to consolidate the law on adoption under the Child Care Act, 1983; and to amend the Births and Deaths Registration Act, 1992 to afford a father of a child born out of wedlock the opportunity to record his acknowledgement of paternity and his particulars in the birth registration of the child.

- The Children's Status Act No. 82 of 1987

  This Act deals with paternity, guardianship and the status of certain children, such as extramarital children of avoidable marriages.

- Divorce Act No. 70 of 1979

  The Act deals with the law relating to divorce.

- Recognition of Customary Marriages Act No. 120 of 1998

  The Act provides for the recognition customary marriages.

- Natural Father's of Children Born out of Wedlock Act No. 86 of 1997

  This Act provides for the possibility of access to and custody and guardianship of children born out of wedlock by their natural fathers.

- Birth and Death Registration Act No. 51 of 1992

  This Act regulates the registration of births and deaths.

- Employment Equity Act No. 55 of 1998

  This Act provides for employment equity and for the prohibition of and for unfair discrimination in the workplace.

- Choice on Termination on Pregnancy Act No. 92 of 1996

  The Act determines the circumstances and conditions under which the pregnancy of a woman may be terminated.

- 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 and to introduce measures, which seek to ensure that the relevant organs of state give full effect to the provisions of this Act.

4.   Situation Analysis

Many families in South Africa are in crisis and are faced with a number of challenges that impact negatively on their ability to sustain themselves. Such challenges are related to, in part, poverty, unemployment, lack of integrated basic services and poor infrastructure especially in rural areas. This violation of rights and the relegation of some members of society to a low status have aggravated problems, such as the spread of the HIV and AIDS pandemic; abuse of alcohol and other substances, abuse within the family especially against children, women and older persons, as well as the general trend of moral decay in our communities. Needless to say that the current changes in the form and structure of the family with specific reference to single parenthood, as well as child-headed and granny-headed households, are challenges which in most cases may not be in the best interest of the child and the general well-being of the family unit

The well-being of the family is of critical importance to the overall functioning of society as any breakdown in its functioning and its ability to provide care increases the vulnerability of its members. The Department is therefore committed to promoting family strengthening. The following key trends regarding families in the Western Cape should be noted:

- The family is important to people in the Western Cape as over 96% of people in the province live in family groups (Amoateng, 2005).
- The province has different family structures and types that evolve over time as a result of changing social conditions. The dominant family types in the Western Cape are nuclear and extended families. The family in post-apartheid South Africa is undergoing

fundamental change and is at risk of dysfunction during the current phase of political and social transition.

- Changing social roles influence the structure of families. Evidence of this is the increasing proportion of households headed by women in the province, particularly households headed by urban African and coloured women.
- Many families in the province lack the resources to care adequately for their members. According to Census 2001, 42, 4% of all households have an annual income of less than R19 200 (R1 600 per month). In 2001, the province had an unemployment rate of 17, 15%. In terms of a wider definition that includes seasonal labourers and those who have given up hope of finding work, unemployment increases to 33,5% of the economically active. Therefore, one out of every three economically active persons is unemployed in the province.
- The quality of life of families is affected by unequal access to services and resources. Census 2001 indicate that 14,4% of households do not have potable water on site, 9,9% do not have access to electricity for lighting and 22,3% have an informal housing structure. Racial differentiation in terms of the distribution of resources should be noted. According to Amoateng (2005), African households lag behind other groups in terms of access to services and resources. A lack of housing in particular has impacted negatively on family formation, as people have to live in informal settlements or shacks with limited space, forcing African families to live in nuclear households.
- Families have a huge burden of care as illustrated by its age dependency ratios - 39.2% for Blacks; 46.5% for Coloured; 38% for Indian and 40.5% for the white working population. What this means is that every 100 working Coloured persons (those aged 15 to 64) potentially supports 47 children.

CHILDREN

The DSD is responsible for the protection and development of children in the province. The changing profile of children in the province and the impact of social factors that threaten the achievement of sound developmental outcomes, are described.

Key Demographic Trends

According to Community Survey 2007[1], the Western Cape is home to 1,770,859 children under the age of 18 years. This constitutes 33.16% of the province's population. Of this group, approximately 1,237 million children are under the age of 15, of which approximately 610 000 are under the age of 7 years. In terms of population groups, 54, 42% of these children are Coloured; 33, 07% Black; 11, 41% White and 1, 11% Indian/Asian.

The proportion of male and female children is equal in the province and does not vary by population group. The community survey further shows that in terms of the Early Childhood Development (ECD) Target Group: There are 250,068 (50.48%) Coloured; 195,703 (39.51%) Black; 44,949 (9.07%) White and 4,626 (0.93%) Indians/Asian children in the age group 0 – 4 years old in the province. Only approximately 22% of the children in the Western Cape Province have access to registered ECD facilities.

Approximately 1% of all households in the Western Cape were headed by children aged 0-19 years in 2001. In actual numbers, this means that a total of 7935 households were headed by children under the age of 19. 4113 of these were headed by male children. Although the proportion

[1] Proudlock, P., Dutschke, M., Jamieson, L., Monson, J. & Smith, C. (eds). 2008. **South African Child Gauge 2007/08.** Cape Town: Children's Institute, University of Cape Town.

of children will decline over the next few years as the population ages, the absolute number of children will not decline significantly over the next ten years.

Key Social Trends

A number of social factors, such as poverty, HIV/AIDS and violence contribute to the vulnerability of children in the province. Social trends highlighting the vulnerability of children in the province include the following:

Child Maltreatment and Violence

Although reliable administrative data regarding child well being is difficult to obtain, Children in the Western Cape face a high risk of child maltreatment. An analysis of child maltreatment in 2006[2]highlighted the following:

- 3 in every 1 000 children in the province were subject to a Children's Court Inquiry in 2005.This high rate of statutory removal is a disturbing indication of the extent of breakdown of primary care and assumed to be related to poverty and the impact of HIV/AIDS.
- Most physically abused children requiring hospital treatment are under the age of 5 years, and more than half are boys.
- The perpetrators of child abuse are typically male and someone known to the child – often the child's father or the mother's partner. Most assaults occur in the child's home.
- There appears to be an upward trend in reports of sexual assaults on children under 13 years as reported to health facilities.
- Data from Child line indicated that the Western Cape had the highest proportion of all calls in the country relating to sexual abuse.
- The HSRC's South African Social Attitudes Survey (2003) indicates that corporal punishment as a means of disciplining children was commonly used at homes in the province. For example, 40% of women admitted using a strap, belt or stick to beat children under the age of three years.
- A total of 16% of parents in the province admitted that they were in violent relationships, meaning that significant numbers of children have been exposed to intimate partner violence.

Children in Poverty

41% of children were found to be living in households regarded as 'income poor' in 2006**[3]** – these are households with an income of less than R1 200 per month. This lack of resources has a significant impact on the quality of care received by children. Of these households, approximately 410 000 are in receipt of a Child Support Grant. A General Household Survey (GHS) that was conducted in 2005, showed that although Western Cape presented a substantially more favourable picture than the other provinces, even in this Province, nearly one in every five children (18%) live in very poor households in terms of earned income. (South African CHILD GAUGE 2006; Children's Institute, University of Cape Town)
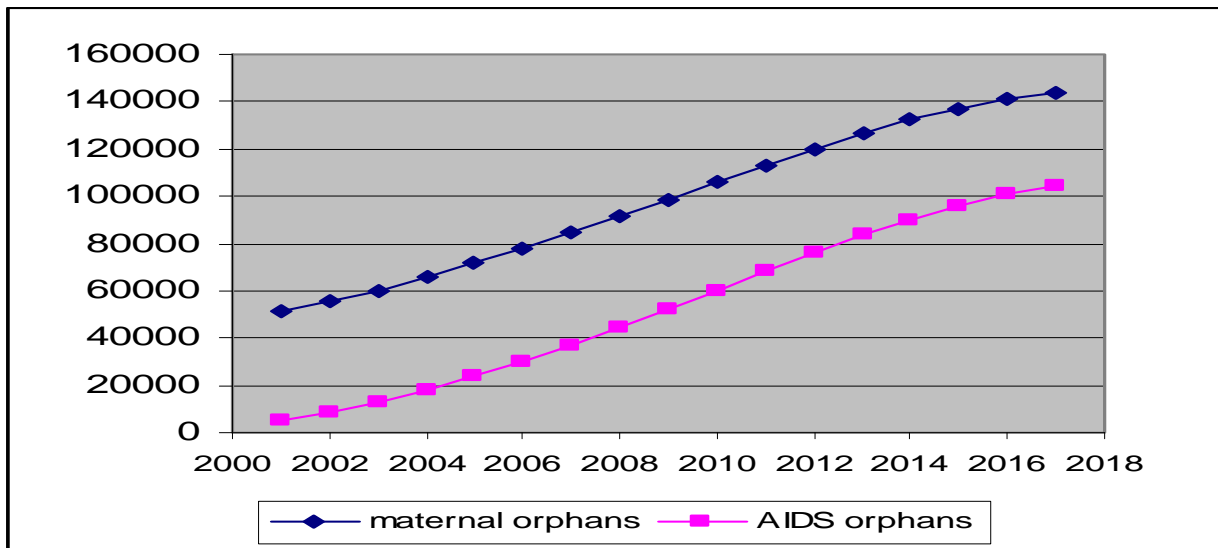
Orphanhood

Reliable data regarding the number of orphaned children in the Western Cape is not readily available. However, socio-demographic projections as contained in the ASSA model suggest that the number of maternal orphans will increase from 51475 in 2001 to 143979 in 2017. AIDS orphans will increase by 5152 to 104 780 by 2017. This is an increase of 99 628 in 16 years, or

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[2] Dawes, A. et al. (2006). **A Situation Analysis of Children affected by maltreatment and violence in the Western Cape.** HSRC: Cape Town.

[3] Statistics South Africa 2006. **General Household Survey 2006.** As quoted in Proudlock, P (Ed) 2008. **South African Child Gauge 2007/2008.** The Children's Institute, University of Cape Town.

6,226 orphans per year. Figure 1 shows the expected increases in the number of orphans and AIDS orphans for the Western Cape from 2001 to 2017.

Figure 1: Estimated and projected number of maternal and AIDS orphans in the Western Cape from ASSA model: 2010-2017

The implications of the above trends are that as families disintegrate the state is increasingly required to ensure that the care, protection and development of children are provided. Increasingly parents are unable to exercise proper discipline over their own children. These children are exhibiting challenging behaviours resulting in poor socials skills and unacceptable behaviour. There needs to be a focus on preserving, strengthening and rebuilding the family as the cornerstone of society as well as creating awareness within the community of the importance of supporting vulnerable children and families. Moral regeneration and empowering victims is critical to the long-term goal of creating a self-reliant society. Early Childhood Development plays a critical role in ensuring the protection and development of children. Exposing children to appropriate early stimulation, nutrition, health and care has many benefits. ECD is said to be critical for providing the foundation for life-long learning and productive participation in life.

5. Stakeholders

Stakeholders are maintained, mobilized and kept well informed of the Department's developments and developments specific to the programme through various forums such as ECD forum, Provincial Child Protection Committee, Safety Parents meetings etc.

- The key recipients of our services are children, their families and the communities in which they live who need services that are appropriate. The role of this programme is to provide stakeholders with services that are qualitative, appropriate and accessible.
- To achieve the programme partners with a range of service providers across the province, such as Non Governmental Organisations, Child Protection Organisations etc. The benefit that service providers bring to the programme and DSD is that they have the required expertise and data to provide the necessary services and also strong in advocacy and lobbying. For them to implement high quality services, the DSD provides legislative framework, funding and capacity building
- It is also necessary to liaise closely with other government departments, other spheres of government and community structures so that integrated service delivery is ensured.
- For this programme to implement integrated and accessible services, District Offices and Facilities are the most critical service delivery arm.

6.   **Integrated Service Delivery Strategy**

      Awareness and Prevention

6.1.1 Description

This is one of the most important aspects of social service delivery. Programmes are designed to create awareness of the rights of children and the responsibilities of families, caregivers and communities in the care, protection and development of children as well as the services, which are available to support this. It aims to strengthen self-reliance

Desired Outcomes

- 50% of children between the ages of 0-18, women, families and victims of violence **have access to** information on their rights and responsibilities and available services by 2017

6.1.4 Basket of Services (GUIDELINE)

- Celebration of national and international days
- Moral Regeneration messaging
- Information, education promotion and communications services
- Life skills/ life orientations services
- Advocacy on human rights services
- Prevention against violence services
- Gender based education services
- Marriage and family enrichment services
- Early childhood development including after school care services and programmes
- Intergenerational services
- Outreach services
- Research, analysis of data and sharing of research findings.

6.1.6 **Action Plans**

- Create access to information and education about Acts and Policy affecting children & families
- Make available up to date information & research about children & families (i.e. Asset Based Community Development and other innovative approaches)
- Facilitate the implementation of integrated Advocacy programmes for children & families
- Facilitate the implementation of public education programmes about services that promote and develop well functioning families that support the care, protection and development of children
- Facilitate collaborative planning and implementation with all relevant DSD programmes.
- Develop and disseminate a data base of services available to families that support the care, protection and development of children
- Facilitate the development and delivery of programmes that build family life and life skills thus preventing children becoming at risk (e.g. Marriage Preparation and Marriage Enrichment, Parenting Skills, Fatherhood programmes, Men as Partner Programmes, Early Childhood Development, After School Care Programmes)
- Co-ordinate and facilitate moral regeneration programmes that support the pillars of Social Development Specific Moral Regeneration Strategy (SDMRS)
- Facilitate the establishment of a Forum for Service Providers in the Children & Family Programme

6.**2.**   **Early Intervention**

6.2.1   Description

Services delivered at this level make use of developmental and therapeutic programmes to ensure that those children and families who have been identified as being at risk are assisted before they require statutory services, more intensive intervention or placement in alternative care.

6.2.2   Desired Outcomes

- 80% of children aged 0 – 4 years are exposed to quality ECD programmes by 2017
- Optimal functioning integrated structures that promote a protective environment for children, families and victims of violence.
- Establishment of integrated, supportive and developmental services for children and families at risk.

Output
- 396 800 children between the ages of 0-4 years will be exposed to ECD programmes by 2017
- 16 districts will have one functioning committee each that has representation from all relevant government structures including local government, child protection organisations, civic structures, business and other community members who have an interest in promoting services to children, families and victims of violence by 2017
- 16 districts will have a minimum of two fully functional early intervention programmes each by 2017
- The Province will have 5 600 safe homes operational by 2017

Basket of Services (GUIDELINE)

- Skills development programmes
- Family Preservation Programmes
- Marriage and Family Enrichment Programmes
- Early childhood development programmes
- Holiday Programmes
- After school care programmes
- Outreach programme
- Temporary safe care programmes

6.2.6   Action Plans

- Facilitate the development and maintenance of early identification protocols and referral systems for at risk children and families
- Facilitate the development and delivery of accessible therapeutic and support programmes for children, families and caregivers (e.g. Family Conferencing, Diversion Programmes)
- Facilitate, mobilise and coordinate an intersectoral safety net for children in the community
- Monitor & evaluate the impact of key intervention strategies of the children and family programme

6.3.   Statutory

6.3.1   Description

At this level the child or family needs legal intervention. Services are aimed at the child and the family involved. A child or family member may need to leave the family whilst alternative care that

is in the best interest of the child is put in place. Alternative care should, wherever possible, be a temporary measure accompanied by services that enable the child to return to the family.

6.3.2   Desired Outcomes

Children and families receive appropriate protection, care development and support through proper implementation of legislation

Output

- 1000 social workers have increased knowledge and expertise in legislative requirements to implement the relevant acts by 2017.

6.3.4   Proposed Basket of Services

- Statutory and therapeutic services to individuals and families
- Services to children in conflict with the law
- Victim Empowerment services
- Intermediary services
- Mediation services
- Alternative placement services e.g. foster care, adoption, child and youth care placements.
- Substance Abuse treatment

6.3.6   **Action Plans**

- Monitor and evaluate the compliance of service providers with statutory provisions, protocols and minimum standards.
- Develop and implement appropriate programmes to ameliorate family functioning.

6.4.   **Reintegration**

6.4.1   **Description**
Programmes and services at this level are aimed at the integration of services that enhance the well being of children and the resilience of families.

6.4.2   **Desired Outcomes**
The optimal well being and continuous development of children, families and victims of violence. 80% of children who are in alternative care are reintegrated with their families or their communities of origin through integrated service delivery.

Output
- 60% of families, women, children and victims of violence have formed positive supportive social networks that strengthen family resilience by 2017.
- Recidivism of children in conflict with the law and future family breakdown is reduced to 30% by 2017

6.4.3   **Basket of Services (GUIDELINE)**

- Independent living programmes.
- Skills development programmes
- Support groups
- Reunification services
- After care programmes (including sport and cultural activities)

6.4.5 Action Plans

- Facilitate the connection of children, families and victims of violence to a range of appropriate integrated services within their community (e.g. other DSD programmes, service providers, local government and other government departments)

8. Conclusion

This paper outlines a strategy that creates a shift in emphasis from statutory intervention to awareness, prevention, early intervention and reintegration. To achieve this the programme Children and Families is focusing on a family centred approach that promotes dignity and self worth and builds on the strengths of individuals, families and communities. By building on assets the foundation is laid for developing resilient and caring families that enable children and other family members to become self reliant, responsible members of society.

In order to achieve this, the programme will use inter alia the Asset Based Community Development approach. By identifying and using the innate strengths of individuals and families the programme will co-develop solutions that promote ownership.