Expanding social assistance for children: Considering policy proposals

Aislinn Delany and Paula Proudlock (Children's Institute, University of Cape Town)

The Constitution requires the state to progressively realise the right to social security, including social assistance, so that everyone in South Africa has access to the means to support themselves and their dependants.[1] Similarly, the National Development Plan regards an inclusive and responsive social protection system as an essential pillar in government's strategy to tackle poverty and inequality by 2030.[2]

There are currently a number of gaps and challenges in South Africa's social assistance system that are particularly concerning in the context of high levels of poverty, unemployment and inequality:

- The amount of the Child Support Grant (CSG) is low relative to the basic needs of a child and falls below all three of the national poverty lines proposed by Statistics South Africa. Nearly a third of children (30%) still live below the lowest line – the food poverty line[3] – despite the availability of the CSG.
- It is estimated that almost 18% of eligible children (1.8 million) are still excluded from the CSG due to implementation challenges.[4] Many of these are infants, a particularly vulnerable group for whom early exclusion has a negative long-term developmental impact.
- In 2009, 25% of pregnant women lived in households that reported hunger and insufficient food[5] – a situation that impacts negatively on the health of the mother and survival and development of the infant.
- Children whose caregiver's income falls above the income threshold of the means test are excluded from the benefits of the CSG, even though it is known that those around the threshold may fall in and out of poverty.
- The use of the foster care system for poverty alleviation for orphaned children in the care of relatives has led to an unmanageable demand on the child protection system. As a result, the majority of orphans cannot access the Foster Child Grant (FCG) and children who have been abused and neglected are not receiving responsive protection services.[6]
- Once children turn 18 years old, their access to social assistance ends abruptly, as there are no grants for unemployed or low-income adults aged 18 – 59 years (apart from the Disability Grant). In addition, a large proportion of the adult population is excluded from unemployment insurance and formal social insurance because of high levels of unemployment and informal employment.

Government has explored a number of options to create a more comprehensive approach to social security. In 2002, the Taylor Committee of Inquiry into a Comprehensive System of Social Security identified several gaps and proposed a comprehensive framework that included universal coverage of grants for all children; continuation of grants for children with special needs; and a basic package of services for everyone.[7] At the same time, while reviewing the Child Care Act, the South African Law Reform Commission also recommended a universal child grant; the continuation of the FCG for children in need of care and protection; and kinship grants for children in formal (court ordered) and informal care of relatives.[8]

More recently, in 2008, the national Department of Social Development drafted a discussion document on strategic considerations for a comprehensive system of social security that acknowledged shortfalls and proposed options for reform. After consultations with National Treasury and other departments, the document was revised and was due to be published in 2015.[9] At the time of going to press in October 2016 it had not yet been released.

The Department has also commissioned detailed research on specific options for reform including increasing the amount of the CSG,[10] providing the CSG to all children (universalisation),[11] providing social assistance to women during pregnancy and the early years of motherhood,[12] social assistance options for youth aged 18 – 24 years,[13] and providing appropriate social assistance to relatives caring for orphans (kinship care)[14].

There has therefore been much considered research and thinking on how to address the gaps in social assistance for children. This essay presents some proposals that have been, or are being, considered by the Department for the further expansion of social assistance in support of children. The proposals covered here are:

- Increasing the amount of the CSG
- Universalising the CSG to provide a child benefit for all
- Introducing a pregnancy and maternal benefit
- Extending the CSG to youth aged 21 years who are in education and training
- Replacing the use of the FCG with a "CSG top-up'" for orphaned children in the care of relatives.

The proposals are at different stages of development in the policy process and are not the only options to be considered. There are a range of other reforms that would help to improve child outcomes directly or indirectly – from expanding social security measures to cover adults in households that do not yet have

access, through to strengthening social welfare services to support children and families. This essay focuses primarily on child-centred social assistance proposals, but the broader debates around comprehensive social protection for children and adults should be borne in mind when considering these proposals.

The authors are not necessarily proponents of the proposals but have agreed to present them based on their involvement in research or policy processes behind the proposals. The aim of this essay is to promote and inform debate within and between government and civil society about existing proposals; to prompt ideas for other proposals; and to provide some guidance for evaluating the proposals with the best interests of children in mind.

The following constitutional rights and principles of good governance provide a starting point for evaluating the proposals:

Constitutional rights

- Right to equality
- Rights to dignity
- Best interests of the child
- Right to have access to social assistance
- Right to basic nutrition, shelter, basic health care services and social services
- Right to family, parental or alternative care
- Right to protection

Principles of good governance

- Long-term vision and policy coherence
- Effectiveness
- Accessibility for beneficiaries
- Administrative feasibility
- Affordability

Box 7 on p. 77 presents some useful questions that could be posed in relation to each of the rights and principles.

References

1 Constitution of the Republic of South Africa, 1996. Section 27 (1) (c) and (2).
2 National Planning Commission (2012) *National Development Plan 2030. Our Future.* Pretoria: The Presidency. Chapter 11.
3 Hall K & Sambu W (2016) Income and social grant – Children living in poverty. *Children Count* website, Children's Institute, University of Cape Town. Viewed 23 September 2016: www.childrencount.uct.ac.za.
4 DSD, SASSA & UNICEF (2016) *Removing Barriers to Accessing Child Grants: Progress in Reducing Exclusion from South Africa's Child Support Grant.* Pretoria: UNICEF.
5 Extrapolations from the 2010 General Household Survey as cited by Alex van der Heever on P. 84.
6 See the essay on social assistance for orphaned children on P. 68.
7 Taylor Committee (2002) *Transforming the Present – Protecting the Future: Report of the Taylor Committee of Inquiry into a Comprehensive System of Social Security for South Africa.* Pretoria: Department of Social Development.
8 South African Law Reform Commission (2002) *Discussion Paper 103. Project 110. Review of the Child Care Act.* Chapters 16 & 24.
9 Minister of Finance (2015) *Budget Speech*. Parliament. February 2015.
10 The Department of Social Development released a Terms of Reference on the feasibility of increasing the CSG amount in 2014. It is not clear if this research was completed.
See also earlier commissioned research on grants for kinship care where a recommendation to increase the CSG amount was proposed: Budlender D, Proudlock P, Hall K, Jamieson L & Meintjes H (2012) *Comprehensive Review of the Provision of Social Assistance to Children in Family Care: Research Report and Recommendations for Reform.* Community Agency for Social Enquiry and the Children's Institute, UCT. Report produced for the Department of Social Development.
11 Samson M, Renaud B, Miller E, McTague E, Neuborg E, Dearsouth T et al (2011) *Feasibility Study on the Universal Provision of the Child Support Grant (CSG) in South Africa.* EPRI report produced for the Department of Social Development.
12 Van den Heever A, Blaauw D, Scorgie F & Chersich M (2012) *Investigating the Potential Impact of Maternity and Early Child Support in South Africa: An Options Assessment.* Johannesburg: Centre for Health Policy and Graduate School of Public and Development Management, University of the Witwatersrand. Report produced for the Department of Social Development.
13 Altman M, Mokomane Z, Wright G & Boyce G (2012) *Social Grant for Youth – Some Policy Options: Framework on Social Security for Youth in South Africa.* Final Report: July 2012. Produced by the Human Sciences Research Council for National Department of Social Development.
14 Budlender D, Proudlock P, Hall K, Jamieson L & Meintjes H (2012) *Comprehensive Review of the Provision of Social Assistance to Children in Family Care: Research Report and Recommendations for Reform.* Community Agency for Social Enquiry and the Children's Institute, University of Cape Town. Report produced for the Department of Social Development.
15 Government of the RSA and Others v *Grootboom and Others 2001 (1) SA 46 (CC) Paras 39 - 44.*

Box 7: Constitutional rights and principles of good governance for evaluating social assistance policy proposals

Constitutional rights

The right to equality

- How will this reform affect the equality of different categories of children, address discrimination, and contribute to the achievement of substantive equality in South Africa?
- Are there any other categories of people likely to suffer discrimination (directly or indirectly) as a result of this proposal?

The right to dignity

- How will this reform affect the dignity of individual and different categories of children, caregivers and others?

The best interests of the child

- How will this reform further children's best interests, which are of paramount importance in any matter concerning children?

The right to have access to appropriate social assistance if unable to support themselves and their dependents

- Will this reform result in progressive realisation of the right to social assistance?
- Is there justification due to restricted resources for targeting a vulnerable group now (rather than covering all children in need)?
- Will it (considered together with the state's overall social assistance programme) pass the Constitutional Court's "reasonableness" test?
  - Is it reasonably conceptualised? (Is its design capable of realising the right?)
  - Is it balanced and flexible and does it make provision for short, medium and long-term needs? In particular the policy should not exclude a significant segment of the population, especially not those whose needs are the most urgent and whose ability to enjoy all rights therefore is most in peril.[15]
- Will this reform result in regressive action for anyone?
  - If yes, can this action be justified by an overall greater benefit for a larger group?[i]

Children's right to family, parental, or appropriate alternative care

- How will this reform impact on parents' and extended families' capacity to provide quality care to their children?

Children's rights to basic nutrition, shelter, basic health care services and social services

- How will this reform impact on caregivers' capacity to provide children with nutrition, housing and access to health care services?
- How will this reform impact on social welfare services for children and their families?

Children's right to protection

- How will this reform affect children who need protection services due to neglect or abuse?

Principles of good governance

Long-term vision and policy coherence

- How does the reform align with the long-term vision for social protection?
- Is this reform a step towards progressively realising that vision?

Effectiveness

- Is this reform likely to be effective in achieving its aim e.g. reducing/alleviating poverty?

Accessibility for beneficiaries

- Is this reform likely to be easy to access and clear to understand?

Administrative feasibility

- Does the state have the capacity to administer this reform efficiently, or can capacity be created through training or task shifting amongst different categories of existing personnel?

Affordability

- How much will this reform cost and does the state have the resources?
- What are the potential long-term costs of not making this reform?

i For example the introduction of the CSG in 1998 at a lower amount than the State Maintenance Grant (SMG) was a justified regressive action for those who were on the SMG, because overall it was introducing a greater benefit for a larger group of beneficiaries.