

## **SUBMISSION ON EARLY CHILDHOOD DEVELOPMENT**

### **EXECUTIVE SUMMARY**

**Submission on the Children's Bill [B70 of 2003]  
to: Portfolio Committee on Social Development  
from: South African Congress for Early Childhood Development,  
and Early Learning Resource Unit**

**27 July 2004**

Early Childhood development is an umbrella term that applies to the processes by which children from birth to at least nine years grow and thrive- physically, mentally, emotionally, spiritually, morally and socially.

Children living in poor households are most at risk of infant death, low birth weight, stunted growth, poor adjustment to school, increased repetition and school drop out. A recent analysis indicated that 75% of South Africa's children are living in households with less than R215 per month. The environment in which the majority of children find themselves continues to render them developmentally at risk due to decades of racially discriminatory practices.

ECD holds particular potential for children living in poverty as it can enhance long term capacity to participate fully in the realization of their rights and abilities. The early childhood period is one of the greatest vulnerability and these are critical years for brain development and the development of the child's potential. ECD is the period where early intervention can be most effective in reducing the burden on state resources in future years.

In presenting recommendations to Parliament on aspects of the Children's Bill (s 75) this submission examines a number of policy documents and the work of the South African Law Reform Commission in addressing the need for a range of Early Childhood Development programmes and services in order to confront the inequities of the past and ensure a better future for all South Africa's children.

The future of the vast majority of South Africa's youngest children remain uncompromisingly bleak. The call is for ECD to be moved from the periphery to the core thus getting the budgetary attention it requires.

South Africa is a signatory to International instruments such as the Convention on the Rights of the Child (CRC) and the African Charter which provide the framework for early childhood development. Child rights, including the right to develop, are relevant to ECD. The CRC states that the State 'shall ensure the development of institutions, facilities and services for the care of children'. The CRC also speaks to the need for facilities and resources in order to ensure that children are provided with the opportunity to develop to their full potential.

Education, Health and Social Development are the lead government Departments for ECD in South Africa. Other Departments such as Justice, Home Affairs and Agriculture also play a key role. Despite the commitment to basic education rights for all, the Department of

Education takes responsibility only for ECD Grade R with programmes and services for the 0–5 year olds located with Department of Social Development. Dept of Public Works is responsible for the development of facilities together with Provincial and Local Government.

The ECD Audit (2001) indicated that 1/5 of the ECD sites for Grade R classes were located in school and community settings while the majority of children who require Grade R classes were in home based sites. The need for programmes with similar structured preparatory curriculum content for the 0 – 5 cohort in a range of settings (including home based and family outreach programmes) in order to ensure optimal development throughout the early years is emphasized.

ECD training is provided mainly by NGO's who have over the years developed extensive networks. The quality of training of ECD practitioners can be improved and expanded by strengthening the relationship between the State and NGO's through the provision of learnerships sensitive to issues of redress and equity.

### **S75 Bill (B70 of 2003) recommendations:**

The call in the ECD submission is for the re insertion of the following sections of the S 75. Bill (B70 of 2003) :

- **The National Policy Framework** which will ensure a comprehensive and integrated approach to ECD service provision binding all relevant government departments and civil society organizations. The specific national inter-sectoral strategy as envisaged for ECD must be retained to ensure better resourcing and coordination.

The 2001 White Paper on ECD seeks to increase the amount and quality of ECD provision **through inter-sectoral collaboration**. Key elements include the phasing in of compulsory Grade R for all children by 2010, a range of programmes and services for children from birth to 5 years which include home based and family education outreach programmes, nutrition, health and safety programmes. **Recommendation is that S 106(1) of the SALC bill replace section 92 of the Department Bill.**

- **Budgetary commitment for ECD** as was set out in 106(A) (1)(f) must be retained in order to ensure that adequate funds for ECD services and programmes can be secured.
- **Child Rights** Chapter (Chapter 3) - This chapter should be retained and should include provision to ensure that all children have the right of access to ECD programmes and services as a developmental right, including the right to clean water, shelter, education, nutrition, safety and protection.
- **Strategies concerning ECD (s92)**. The call is for the re insertion of an interdepartmental strategy that falls under the umbrella of the **National Policy Framework** in order to ensure co-ordination between government departments providing services and resources for ECD sites. Strategies include:
  - Mechanisms for the planning, development and implementation of ECD programmes and services

- Criteria for the selection and designation of ECD services and programmes.
  - Mechanisms to ensure impartiality in the provision of ECD programmes and services
  - Measures to ensure that budgetary requirements and procedures are complied with to secure adequate funds for the provision of ECD services and programmes.
- **The section on definitional provisions (s91) is problematic** in that it excludes a vulnerable group of children requiring ECD services. It is recommended that the definition in the Bill be amended from school going age to age nine.

#### **S76 Bill Recommendations:**

- **Provision of ECD services (s 93)**- Development grants and subsidies must be provided to enable NGO, other organs of State and community/home based providers to enable them to meet registration requirements pertaining to standards of provision of facilities
- **Norms and Standards (s 93(2))** - Recommend that once the Guidelines for ECD Services is finalized, it should be used as the basis for regulating national norms and standards and be extended to cover Partial Care.
- Recommend that ECD service providers to make application for registration and subsidization at one authority.
- **Minimum standards for ECD Services (s94)**- Recommended that partial care facilities can be assisted to establish ECD programmes and services by means of the conditional registration and the development grant as recommended in s 93 and 97.
- **Registration of ECD programmes (s95)** - Programme registration is welcomed but the registration fee is regarded as a barrier to access for the most vulnerable children and must be omitted. Registration procedures should be used as a means to ensure protection of children. Registration needs to be simplified to one Department or Municipality. Documents must incorporate only what is reasonable and necessary information.
- **Consideration of application(s96)**- Proposes that all applications for registration are considered if they are submit a plan which indicates commitment to reach the required standards if financial assistance is received. The workload of social workers handling applications should be reduced by delegating to other social development staff.
- **Conditional registration (s97)**- An additional clause is recommended to provide for a reasonable time period within which minimum standards can be reached.
- **Cancellation of registration (s98)** – Retained as is

- **Notices of enforcement (s99)** - Recommended that an offer of state funded financial/development assistance is made available in order to ensure that ECD service providers who lack resources are able to meet minimum standards.
- **Assistance(s 100)** - Recommended that Financial/development assistance be provided to ECD service providers with conditional registration to enable compliance with full registration and minimum standards.
- **Assessment of ECD services (s101)** - Retained as is.
- **Assignment of functions to Municipality (s102)** – amend 102(5) (b) from High Court to Magistrate’s Court to make administrative justice more accessible.
- **Regulations (s 103)** - Recommended that fees are omitted because fees are a potential barrier to access for children in poor communities.

**Key concerns not addressed in either the SALC or the Department Bill:**

- **Practitioners**  
Any reference to practitioners should include those who are centre based, home based and those working in family outreach programmes. Close collaboration with NGO’s and provision of learnerships for the range of ECD settings is recommended.
- **ECD Programmes and Facilities**  
Intersectoral State, NGO and community level partnerships required within the budgetary framework. Holistic approach to ECD is required to include a range of stakeholders and resources to strengthen broader vision of **ECD as a child and community development strategy** in every geographical locality as part of the overall strategic plan.
- **Nutritional support**  
Studies have indicated the large numbers of children remain at risk from malnutrition and undernutrition. Studies from neuroscience have shown that the first two years are important for brain maturation. Nutrition planning for ECD is a critical need not mentioned in the either the SALC or Department Bill.
- **Children with disabilities and HIV AIDS**  
Approximately 4% of children aged 0-9 have disabilities, and the fact that disability is both a cause and consequence of poverty - the situation of children with disabilities and chronic illness can well be described as "an emergency submerged". An inclusive approach to ECD is recommended in line with the recommendations of the Disability sector around provision of services, equipment and training (Refer Disability submission 20 July 2004).
- **Partial Care**  
Partial care is defined to provide services to all children regardless of their age whereas ECD is specifically tailored to children from birth to school going age (refer

s95 discussion about definition of ECD). Partial care facilities which offer ECD should be regulated under Chapter 7 of the Childrens Bill as noted. Guidelines for ECD should form the basis for drafting both ECD and Partial care regulations.

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