

HOME

PART TWO

Children and Social Services

Part two is a series of essays on a theme of critical importance to the realisation of children's rights. In this edition, the essays examine children's constitutional right to social services within the context of a developmental social welfare system. The essays describe and analyse the policies and the law (Children's Act) that are aimed at giving effect to the right, and explore and make recommendations on key budgetary, human resource and implementation challenges.

SPAZA

FRIEND'S PLACE

BOYS & MEN

Overview

Part two of the *South African Child Gauge* is a collection of essays on a theme of critical relevance to children. This edition is centred on children's constitutional right to social services (section 28(1)(c) in the Bill of Rights). It presents seven essays which sketch the need for social services, define the right, comment on the potential of the Department of Social Development's overall policy framework and the Children's Act to give effect to the right, describe and analyse key budgetary and human resource challenges to implementation, and explore the inter-dependence between social assistance grants and social services.

Setting the scene for social services: The gap between service need and delivery (page 17)

This introductory essay illustrates the huge scale of need for social services and introduces the key challenges to social service delivery.

Children's constitutional right to social services (page 23)

This essay describes the legal scope and content of children's constitutional right to social services. It does this in the context of children's other constitutional rights and also the general socio-economic rights applicable to everyone. It provides an interpretation of the right which emphasises the delivery of prevention and early intervention services.

Developmental social welfare policies and children's right to social services (page 29)

This essay examines three overarching policies of the Department of Social Development to determine if they give effect to children's right to social services within a developmental social welfare system. The policies are the White Paper for Social Welfare, the Policy on Financial Awards for Service Providers, and the Service Delivery Model for Developmental Social Services.

The Children's Act: Providing a strong legislative foundation for a developmental approach to child care and protection (page 35)

This essay details key features of the new Children's Act (No 38 of 2005) and the Children's Amendment Bill [B19F-2006], which together legislate for children's social services, prioritise budget allocation for social services and provide for a range of practitioners to deliver social services. It discusses some limitations of the Act (as amended) and the budgetary and human resource implementation challenges.

Budget allocations for implementing the Children's Act (page 41)

This essay examines whether government has prioritised budgets for implementing social services for children in terms of the Children's Act. In analysing provincial departments of social development budgets it shows that much more money needs to be made available for children's social services to address the large gap between the demand for services and the level of services currently being delivered.

Human resources needed to give effect to children's right to social services (page 48)

This essay describes the chronic shortage of the social service practitioners that are needed to deliver social services to children under the Children's Act. It emphasises the need to support non-profit organisations providing these services and the need to recognise, recruit and retain the full range of social service practitioners.

Making the link between social services and social assistance (page 55)

This essay explains how social assistance grants can reduce the need for social services. In particular, it discusses some of the consequences resulting from older children not being eligible for the Child Support Grant (CSG). It also describes the challenges for the child protection system as a result of the court-based foster care system being used for income support to poor families instead of the administratively simpler CSG.