



# A C E S S

The Alliance for Children's Entitlement to Social Security

*"Opening doors for children"*

# ANNUAL REPORT

2008 - 2009



**RENEWING THE ALLIANCE**



**A YEAR OF REFLECTION, A YEAR OF REVIEW**



**ACCESS HAT TRICK BENEFITS THOUSANDS OF POOR CHILDREN**



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# MESSAGE FROM THE DIRECTOR

**It has been more than eight years since the Department of Social Development commissioned an inquiry into the adequacy of our social security system to meet the socio-economic needs of people living in South Africa. Not coincidentally, ACESS has been in existence for almost the same length of time.**

In the time since, we have seen significant advances in the development of a comprehensive social security system better equipped to meet the developmental challenges faced by people, especially children, living in poverty. ACESS has been an active proponent of many of the changes.

Given the many policy and legal changes we have seen, we realised it was time to pause and reflect – time to take stock of these changes, time to ask what these changes have meant for children, and what they have meant internally for ACESS as an alliance.

As such, the year under review in this annual report has seen a strong focus on external and internal monitoring, evaluating, reflection and review. The results have been interesting, enlightening and instructive.

We have seen, and acknowledge, that there has been significant policy and legislative progress in the past seven years, progress that has sought to make real the socio-economic rights of children to social assistance, education and development, health care, and basic services. In other words, to make real the comprehensive social security package recommended by the Committee of Inquiry into a Comprehensive Social Security System set up by the Department of Social Development some eight years ago.

We have seen the creation of agencies to improve levels of service delivery. Likewise we have seen the establishment of coordinating structures such as NACCA and the Inter-departmental Committee for ECD, to name but a few, to facilitate the realisation of a comprehensive social protection package for children affected by HIV and AIDS and very young children. We applaud this progress. However, we have not necessarily seen the materialisation of the anticipated benefits of these developments for vulnerable children. The most vulnerable of children and the predominantly rural communities they live in remain excluded from many of the social protection services and benefits created in policy and law. Children living in poverty remain at risk of being excluded from school because of cost barriers. Access to documentation such as birth certificates and identity documents remains a challenge for people and children living in poverty.

The outcomes of our year of review and reflection have served to inform and guide the future shape and role of the alliance. We will move forward in the years to come with a sharper focus on the real issues that continue to block the realisation of the goal that unites our alliance members and partners – a comprehensive social security system for all children and their families that guarantees their well-being and full development.

*Patricia Martin*  
*Executive Director*



# A YEAR OF REVIEW,

**ACCESS stands poised at a new phase in its history. The organisation has grown successfully since its inception in 2001 and has been steadfast in advocating for change in policies and laws. These initiatives have played a significant role in the country's large-scale policy developments around social security for children and their families in recent years.**

Our external environment has changed, and now, in turn, we will make appropriate shifts in strategic direction as we enter the implementation phase of policy and legal reform.

## **WE PAUSE TO REFLECT ON THE DOORS WE HAVE OPENED FOR CHILDREN IN THE LAST SEVEN YEARS.**

### **ACCESS HAT TRICK BENEFITS THOUSANDS OF POOR CHILDREN**

ACCESS has, through various processes, including litigation on behalf of our members, community mobilisation and coordinated advocacy, made a significant impact on at least three key pro-poor policies and practices which recently came to fruition. These changes have contributed significantly to seeing tens of thousands more poverty-stricken children being drawn into the social security safety net in South Africa.

- The Child Support Grant (CSG) was extended to 15 in the 2008/2009 financial year. Initially it was only available up to the age of seven. This amounts to approximately an additional four million beneficiaries coming into the safety net.
- The means test for the CSG has been adjusted upwards from R1,200 per family (the same rate applied for the last ten years) to R2,300 for single income families and R4,600 for dual income families (to be adjusted annually in accordance with inflation).
- The Social Assistance Act regulations have been amended to permit children without bar coded birth certificates to be able to apply for the Child Support Grant (CSG).

### **COMPREHENSIVE SOCIAL SECURITY ON THE POLICY AGENDA**

ACCESS has contributed to the integration of the comprehensive social security package elements into emerging policy frameworks for children affected by HIV and AIDS. Through the collective advocacy of the alliance, we have ensured that the HIV and AIDS and STI Strategic Plan for SA, 2007-2011 ('NSP') includes as key objectives the realisation of social and economic rights for children made vulnerable by HIV/AIDS.

### **ACCESS SHIFTS GOVERNMENT ATTITUDES TO SOCIAL SECURITY**

ACCESS has encouraged the Department of Social Development to move away from its original conservative and incorrect adherence to the belief that social assistance encourages perverse behaviour and dependency.

When we started this fight, the then Minister of Social Development was on record as saying that grants create dependency and that mothers are abusing grant income to have their hair done.

Some three years later, the same Minister actively sought the extension of the CSG to 18 and, according to the *Mail & Guardian*, publicly argued that 'grants [do not] lead to dependence and perverse incentives. He said the positive social impact of the grants was indisputable'.

### **HISTORIC REGISTRATION PARTNERSHIP WITH HOME AFFAIRS**

We have opened the door between the children's sector and the Department of Home Affairs which is responsible for the registration of the births of children and the issuing of identity documents and death certificates. ACCESS is currently working in partnership with the Department of Home Affairs, other departments, coordinating agencies and civil society partners to improve access to enabling documents for children and their caregivers, especially in vulnerable areas.

# A YEAR OF REFLECTION

We are leading the way in developing a model for civil society organisations to work in partnership with the Department on a collaborative, multi-party service delivery campaign with the objective of registering the births of all children.

## **WESTERN CAPE PREMIER ADOPTS ACESS 'JAMBOREES'**

Recently the Western Cape Premier's office adopted the 'jamboree' model of service delivery pioneered by ACESS. In September 2008 it was reported that the Western Cape government had identified 21 priority areas at which different government departments would hold 'service jamborees'.

## **ACCESS HELPS EXPAND SOCIAL RELIEF OF DISTRESS POLICY**

ACCESS has contributed, through its critical advocacy and litigation, to an internal review by the Department of Social Development of its Social Relief of Distress (SROD) policy and the development of an improved SROD framework. SROD is an emergency relief benefit to assist people in extreme cases of distress.

## **WORKSHOPS 'KICK-START HUGE CASCADE' OF NETWORKING**

'We are networking with people that we would not have otherwise had the opportunity to meet,' said an ACESS member who attended a strategy workshop of ours in the North-West province. 'The one workshop kick-started a huge cascade of working with officials and the children were getting help a lot quicker.' But our capacitation initiatives benefit not just our members – even government service delivery agencies find them valuable.

## **RAPID REVIEW HELPS HOME AFFAIRS GET HOUSE IN ORDER**

Our research report, 'Rapid Review of Home Affairs Policy and Practice Affecting Children in South Africa', has had a positive impact on the service delivery framework at the Department of Home Affairs. In this and other ways, ACESS has contributed to improvements in the Home Affairs' turnaround strategy, which aims to improve the department's systems and service delivery in relation to birth registrations, birth and death certificates and identity documents.

## **ACCESS ALLOWS CHILDREN'S VOICES TO BE HEARD**

ACCESS ran a series of founding children's participation workshops across the country at which poor children shared their experiences and needs. The workshops were designed to allow children to participate in the social security review and recommendation process spearheaded by the Committee of Inquiry into a Comprehensive Social Security System for South Africa.

The children's' input was recorded in a report that was widely shared with decision-makers and stakeholders. This allowed for children to be heard on the shape of our future social security system and on their needs in relation to such a system right at the beginning of the policy review and revision process



# ACCESS AT A GLANCE

## WHAT THEY SAY ABOUT US

*'We have had a vibrant civil society perhaps less active than in the struggle years largely because overseas donors have tended to channel funds to the government. Lively NGOs are vital for a healthy democracy and we do have some notable examples. TAC forced a reluctant government to make ARV's more accessible as a right and, very recently, ACCESS gained an important victory enabling beneficiaries to access child grants using identification documents other than those issued by Home Affairs.'*

**Desmond Tutu, delivering the Dullah Omar lecture**

*'[ACCESS] is one of the most effective coalitions we have ever worked with in South Africa. We have seen ACCESS mature into a well managed organisation which meets its commitments to its members and to its other partners, such as ourselves, and works tirelessly to achieve results. ACCESS has made a lasting impact on building the strength of the children's sector through their involvement in the alliance and its activities.'*

**Nancy Muirhead, Program director: South Africa, Rockefeller Brothers Fund**

*'As always, I am impressed by the quality of work that ACCESS does – strength to you all.'*

**Carol Bower, Child rights specialist**

*'We were impressed with the work done during the year under review particularly the successes around alternative forms of identification and advocacy and lobbying work around the extension of the CSG to 18 years. We are also impressed by your ability to lobby all spheres of the government and the relationships that have been forged with the Department of Social Development.'*

**Vusi Khoza, Programme officer, Oxfam Australia**

*'The report we received from our social workers concerning [their attendance at your conference] was that it was splendid. The conference was reported to be informative and a lot of documents were brought back to us and these have been distributed among our other social workers. Your cooperation will always be appreciated.'*

**B. Ngidi, Assistant director, Mzamo Child Guidance and Training Initiative of KZN**

*'What was significant for me was that the [ACCESS] workshop gave us the opportunity to strengthen our power to work together.'*

**Government Official, Northern Cape.**

*'ACCESS is a widely known and well-respected organisation in South Africa. This respect derives from the effective and strategic campaigns it conducts for comprehensive social security.' We unreservedly lend our endorsement to the work of ACCESS.'*

**Cati Vawda, Director, Children's Rights Centre**

*'The passion and eloquence shown by Sonja Borman [of ACCESS] in her presentation was exceptional. We value the partnership we enjoy with your organisation and certainly look forward to continued collaboration.'*

**Mangani Chilala Katundu, Advocacy officer, Child Advocacy Project**

*'Thank you for all you have done. ACCESS adversarial? Never!'*

**Joan van Niekerk, National coordinator, Childline South Africa**

*'Everyone is scared of ACCESS now!'*

**Anonymous**

*'Every time we have brought up queries or ideas they [ACCESS] have addressed them. They are almost like a mentor'*

**CSO member, KZN**

*'With the issue of school fees I had an incident where a child could not get a report because the parents were behind with the fees and we assisted the parent by explaining to her. We gave her a pamphlet [on education rights provided by ACCESS] to give to the school – the principal then overturned her decision and finally the child was admitted and we explained to the parents that because of their income they qualify for exemption and now it is solved.'*

**CSO member, Limpopo.**

*'We wouldn't know how to access birth certificates or assist parents with grants if ACCESS didn't show us, and even now we refer to them.'*

**CSO member, North West.**

*'The ECD sector approached me [after getting together at an ACCESS workshop] about extending school feeding to Grade R in community centres... we have extended them now.'*

**Government Official, Northern Cape.**

# WHAT WE AIM TO ACHIEVE

ACCESS is engaged in five projects, each of which is furthered by a subset of campaigns. The projects are:

- Building and managing a strategic alliance;
- promoting comprehensive social security;
- widening the reach of social assistance;
- challenging barriers to service delivery;
- ensuring access to education for all.

## Project 1: Building and managing a strategic alliance

We seek, by 2015, to achieve the following objectives:

- ✚ to develop and maintain a management structure that is credible, transparent, dynamic and able to appropriately guide ACCESS substantively and organisationally with the necessary expertise;
- ✚ to be financially sustainable;
- ✚ to have developed membership capacity and ability to advance ACCESS's objectives through their own organisational strategic plans;
- ✚ to act on M&E outcomes so that ACCESS continues to be dynamic and responsive to the emerging social security needs of children.

## Project 2: Promoting comprehensive social security

Our 2015 objectives are:

- ✚ to promote the realisation of a comprehensive social security package for all children – especially those made more vulnerable by their specific circumstances – which guarantees their rights to grants, enabling documents, health care, food and nutrition, stimulation, development and education;
- ✚ to develop an informed, evidence-based common advocacy framework within which the network of alliance partners and affected stakeholders can work in unison towards realising a full and comprehensive social security package;
- ✚ to promote the development of coordinated government policies and programmes that provide a comprehensive social security package made up of grants, health care, nutrition, education and basic services such as water, electricity and enabling documents;
- ✚ to promote models of integrated service delivery which compliment the coordinated comprehensive social security policies.

## Project 3: Widening the reach of social assistance

Our objective is that by 2015 all poor and vulnerable children shall have easy access to adequate grants through:

- ✚ the extension of the CSG to 18 (with no conditions attached);
- ✚ the introduction of a caregiver's grant for children living with extended family;
- ✚ the extension of the CDG for all children living with disabilities;
- ✚ a grant for children with chronic illnesses, including HIV/AIDS.

## Project 4: Challenging barriers to service delivery

Our objective is that by 2015 the service delivery barriers presented by enabling documents and transport costs are addressed through:

- ✚ an expanded Home Affairs footprint in vulnerable communities;
- ✚ automatic issue of free unabridged certificates upon birth registration;
- ✚ development of community-based support networks facilitating access to enabling documents;
- ✚ improved access to the CSG for children and caregivers within the first two years after birth;
- ✚ improved access to the CSG for children without birth certificates in terms of the revised regulations;
- ✚ a national transport policy that addresses the transport barrier to services;
- ✚ the availability of more integrated service delivery sites at which multiple services can be accessed.

## Project 5: Ensuring access to education for all

Our 2015 objectives are:

- ✚ to make schooling more accessible to all children, especially those living in poverty and who are made more vulnerable by HIV/AIDS, through improved policies and implementation in relation to cost and discrimination barriers;
- ✚ to improve community participation in school governance, the implementation of policies relating to cost- and barrier-related issues, and the accountability of school governing structures.



# PROJECT 1: BUILDING AND MANAGING A STRATEGIC ALLIANCE

## RENEWING OUR ALLIANCE ACCESS'S ORGANISATIONAL DEVELOPMENT REVIEW

**Contributor: Patricia Martin**

Our name says it all: ACCESS is an alliance. It is diverse, widespread, multi-levelled – and it is continually expanding. Our members are small and large, both urban- and rural-based, and range from NGOs and community-based organisations to social security service providers to academic institutions and other research bodies.

But ACCESS is more than just a formal management arrangement for maintaining the alliance. Crucially, it is an advocacy vehicle. Success in meeting our core objectives depends on, among other things, the alliance's strength, its strategic focus, and its responsiveness to the emerging priorities of children in need.

As such, it is critical that we strive to build and consolidate the alliance, engage with our membership base, and address the ever-changing social, political and economic context within which our members operate and within which laws and policies develop.

Doing so means that we need a strong organisational core. We need to be strong at three levels – at membership level, at directorial management level, and at staff-secretariat level.

We recently undertook an organisational review to assess the relevance, suitability and efficacy of our internal and external organisational structure and infrastructure – and we felt impelled to do this in light of the enormous change we have seen since ACCESS's inception in 2001.

Our questions were simple but pressing. Just how well have we been responding to the challenges posed by changes in the children's sector? What do we need to do to harness the alliance's full potential?

The answers we got were instructive and highly encouraging.

### WHY UNDERTAKE AN O.D. (ORGANISATIONAL DEVELOPMENT) REVIEW IN 2008?

The time was never better. At the time, ACCESS was seven years old and different in many ways to when we started.

- ✚ Our membership has grown dramatically, from 70 to 1,100-plus members.
- ✚ Our provincial and sectoral spread has expanded: compared to our start-up years, we are well-represented in the full range of children sub-sectors, including the education sector, the HIV/AIDS and general health sector, and the young child sector.
- ✚ We are strong in poor provinces such as the North West, Limpopo and Mpumalanga, whereas in our early days our representation there was thin.

### HOW HAS ACCESS CHANGED INTERNALLY?

- ✚ Our management structure, originally a steering committee of three persons, was transformed after our first two years into an elected board of six.
- ✚ Our staff numbers grew from one to ten.
- ✚ Our legal structure changed from being a project housed in our founding members' financial and administrative structures to an independent S21 company with its own financial and administrative systems.
- ✚ Our projects expanded in number and also became more complex, in keeping with the growing complexity of our membership base and the policy environment.
- ✚ Our initial focus on the extension of the Child Support Grant has widened into a far more encompassing focus on grants, education and enabling documents.





## WHAT WILL NEVER CHANGE?

- ✦ We are, and will always remain, an alliance structure.
- ✦ Our mandate is unchanging – to coordinate the alliance’s collective energy to realise a comprehensive social security package for all vulnerable children.

## WHAT WE WANTED TO KNOW

We have experienced far-reaching changes in both our internal and external environments. Given that ACCESS’s organisational structure is meant to act as a strategic vehicle for reaching the alliance’s aims, had these changes left us behind? If we are to harness the alliance’s full potential for improving the lives of children, how would we accommodate such changes and what would we have to do to improve our organisation?

These questions concerned our external organisational strength. But we also wanted to assess how the changes had affected us internally. What mark had they made on our staff and board of directors? Had we kept up with change, and if we’d faltered, what was needed for us to stay in pace and up to date?

ACCESS functions at three levels – membership level, directorial-board level, and staff or secretariat level. To this effect, we initiated a holistic organisational development process through a three-level inquiry which sought to review our strengths and weaknesses.

Our membership-level review took place at ACCESS’s provincial review and strategy workshops. They were the ideal occasions for the review, seeing as their objectives were to strengthen the alliance and its public influence by (among other measures) encouraging the growth of provincial forums as well as increased networking among members and regional decision-makers. The Monitoring & Evaluation specialists, InsideOut, were appointed to conduct these reviews, which involved formal evaluations of the workshops and follow-up meetings. In our board-level assessment, we wanted to gauge the board’s roles and functions, particularly its responsibilities in guiding the alliance as a structure and furthering the vision determined by the broader ACCESS membership. The staff review explored the role of our secretariat in taking forward the alliance mandate by facilitating membership participation, ownership and consultation. It involved asking questions such as:

- ✦ Is the ACCESS staff in sync with member perspectives and views?
- ✦ Does the secretariat maintain a shared vision among members, board and staff?
- ✦ Do our internal systems make for a well-run, effective alliance?

Armed with the results of our OD review, we aim to move forward in the coming year by addressing the emerging challenges we encountered, particularly in areas that relate to our processes, dialogues, policies and planning. The OD process was especially fruitful given that it culminated in a tightened crafting of our five-year Millennium Development Goal strategic plan.

## WHAT WE FOUND OUT

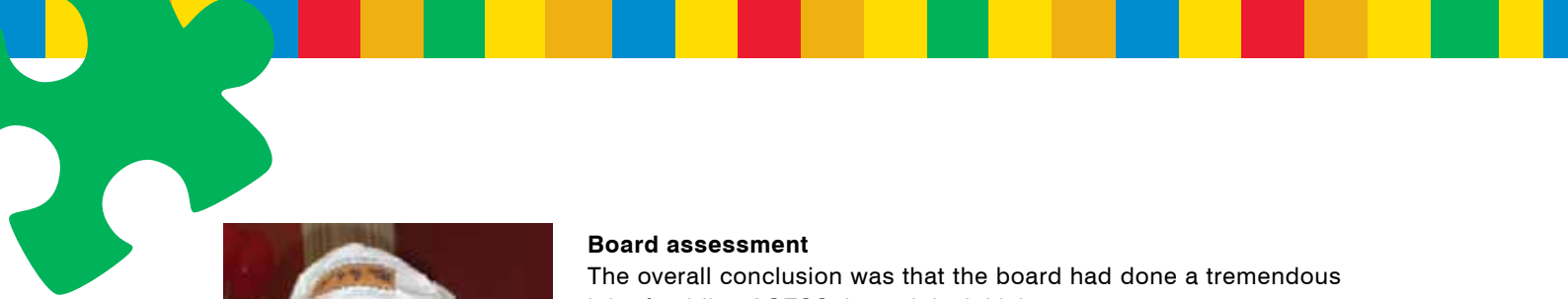
### Membership assessment

ACCESS uses its activities strategically to build the organisation. It strengthens its membership and creates spaces that allow members to exercise ownership of the alliance’s agenda.

### The evaluation found that:

- ✦ The knowledge that members have gained, and the networks they have formed, have had a meaningful impact on barriers to social services for children;
- ✦ the new relationships between members and decision-makers have increased the alliance’s organisational strength;
- ✦ collaboration between government and civil society has worked to put children’s needs first and improve service delivery to them; and
- ✦ all interviewed members said ACCESS membership was a fundamental asset which empowered and supported them in their efforts towards a common goal.

**Challenges:** The evaluation indicated that there is scope for further strengthening the advocacy capacity of ACCESS members. This will allow us to maximise the potential in the alliance to further improve the lives of children.



### Board assessment

The overall conclusion was that the board had done a tremendous job of guiding ACESS through its initial seven years.

✚ We acknowledge the role of the three founding steering-committee members – Shereen Usdin, Shirin Motala, and Paula Proudlock. They were mandated to start ACESS and mobilise the children’s sector around the realisation of a comprehensive social security system. The foundation they laid provided a strong basis from which we could grow numerically and make an impact in bettering children’s lives.

✚ We acknowledge the role of the further three board members – Godwin Booysen, Augustus Dlodlu, and Mama Darlina Tywana. They were elected to complement the leadership of the original steering committee, and their wisdom and experience has strengthened ACESS and allowed us to move effectively and strategically.

**Challenges:** In anticipation of the challenges ahead, our review recommended that in the coming year we should increase the size of the board. In the longer view, the current board will incrementally vacate their seats to allow for ongoing dynamism in ACESS’s management structure. We will entrench the principle by introducing a fixed tenure for board members. In addition, we will continue to reflect on our management to ensure optimal accountability, transparency and levels of expertise.

### Secretariat assessment

Our strengths as a secretariat were, among others, that:

✚ We listen to members, whom we see as doorways to the communities: ACESS members express the needs of children, ACESS listens to these voices, and as a result ACESS is highly responsive to children’s needs;

✚ we foster a sense of partnership with our members, who consequently feel they are acting with us rather than for us;

✚ we contain different levels of education and experience, and are able to draw on this diversity for the benefit of the alliance; and

✚ we implement good capacity-building initiatives.

#### **Challenges included the following:**

✚ We should create a stronger sense of identity as ACESS when mobilising members;

✚ we should encourage members to further the aims of their strategic planning where these aims coincide with ACESS’s mandate;

✚ we need to monitor and follow up on work that members do in addressing issues independently;

✚ both at membership and secretariat level, we need to engage more in critical self-reflection;

✚ there was a lack of clarity about what constitutes ‘consensus’ within the alliance;

✚ there was insufficient documentation of stories from people and organisations within ACESS; and

✚ decision-making processes needed clearer formulation.

*BOARD MEMBERS FROM TOP: Darlina Tyawana, Paula Proudlock, Shereen Usdin, Augustus Dlodlu and Shirin Motala.*










## LEADERSHIP DEVELOPMENT AND ORGANISATIONAL GROWTH

Contributing team: Patricia Martin, Sharon September, Bukelwa Voko-Nobatana

### SAVE THE CHILDREN SWEDEN'S REGIONAL CHILD RIGHTS FORUM

In 2007 Save the Children Sweden invited ACESS to join its Regional Child Rights Forum as one of five regional core partners – in particular, as its South African core partner.

**The Forum was instituted to encourage the partners to engage with each other in a sustained programme of organisational and project development in a mutually supportive environment. It has the following objectives:**

-  To establish a long-term learning process that supports innovation and the exchange of knowledge;
-  to build the capacity and expertise of core partners;
-  to mainstream and improve child rights practice in the region;
-  to strengthen the relationships between members and other key players in the region; and
-  to influence policy-making processes at regional and international level.

The Forum has met consistently since early 2007, convening most recently in November 2008 when it focussed on the theme of advocacy for children's rights.

The diversity of experience and perspective within the Forum has been valuable. ACESS has learned much from its Forum partners and believes that it in turn has contributed to the knowledge of the Forum partners, especially with regards to advocacy matters.

Our learning has been supplemented by a course of child rights programming workshops coordinated by Save the Children Sweden. ACESS's staff has participated in these learning sessions to the benefit of our own programming and direction.

### OXFAM AUSTRALIA'S LINK AND LEARN PROGRAMME

In a similar vein, Oxfam Australia, itself also one of ACESS's partners, has facilitated an ongoing exchange of learning and development through a series of partner workshops attended by their core partners.

These workshops have been beneficial as they have created a space for exploring common issues and concerns of a range of organisations working in South Africa on matters relating to advancing the needs of children impacted on by HIV and AIDS.

ACESS has been able to contribute meaningfully by sharing what we have learned of the socio-economic rights of this vulnerable group of children. In turn, we have learned about the advocacy strategies, research and other interventions that have been adopted by our colleagues in the sector.

### THE BERNARD VAN LEER FOUNDATION'S EARLY LEARNING COMMUNITY

The Bernard Van Leer Foundation (BVL) supports a range of organisations working in highly impoverished areas where large tracts of rural land are predominant. These areas include the Limpopo Province, the Free State and KwaZulu-Natal. Its partners vary in size and in the range of services they offer; however, they are united in the common goal of addressing the rights and needs of young children (0-9).

ACESS is privileged to rank among the partners of the BVL Foundation in South Africa. In this capacity, we were invited to join the Early Learning Community initiated by BVL. The Community is an association of civil society organisations formed for the purpose of allowing them to share their experience and learning with one another.

We have drawn rich benefit from our participation in the Community, and believe that, in the process, we ourselves have contributed to the growing body of understanding and wisdom surrounding the socio-economic needs and rights of this particularly vulnerable group of children.



# FINANCIAL MANAGEMENT

Contributing team: Alison Bohlmann, Patricia Martin

## OUR DONORS

ACCESS is pleased to have been supported in the last financial year by a range of donors. They include: Save the Children Sweden, Oxfam Australia, the Bernard Van Leer Foundation, the Rockefeller Brothers Fund, the Ford Foundation, Cordaid, the Raith Foundation and the D G Murray Trust.

Significant changes have taken place recently in donor relationships. The worldwide recession, coupled with shifts in their strategic focus, has seen a number of donors exiting the children's sector and, indeed, South Africa as a whole.

We are undeniably saddened at the prospect of losing some of our donors, certain of whom have supported us from the outset and grown over the years into more than financial partners. However, we thank them for the crucial role they played in advancing children's rights in this country, and we look forward hopefully to their return in the future.

## OUR FINANCIAL ADMINISTRATION

At its inception, ACCESS had a staff of two. We had no independent legal identity, no bank accounts of our own, nor any systems or procedures that were properly ours.

Some seven years later we have a legal identity as a Section 21 non-profit company, our budget has increased at least five-fold, and we've created an organisation of which we are proud, one which is credible, ethical and accountable in its financial and organisational management.

For this we owe a debt of gratitude to our able and dedicated administrative team, led on the financial administrative front by Alison Bohlmann and, in general administration, by Kim Addinall, who is supported by Tenille September; together they are led by Patricia Martin. The road has not always been smooth, but we have been capably guided through the bumps and troughs by Paul Tyler and his accounting services team at CMDS.

### Internal Financial Control

- ✚ ACCESS employs a full-time bookkeeper.
- ✚ Strong internal financial and management systems have been implemented by the financial team, assisted by a supporting administration team, in order to monitor, manage, track and trace receipt of funds and the expenditure back to donor agreements and their budgets.
- ✚ ACCESS's external auditors, RSM Betty & Dickson, have found the systems to be working accurately as at the date of their last inspection, February 2009.

### External Financial Control

- ✚ ACCESS receives financial management support from C Masters Development Services CC, who analyse, review and present the ACCESS board with their view on the Annual Financial Statements after the annual audit and continue to offer comment and guidance on the financial position of ACCESS throughout the year.
- ✚ ACCESS works closely with the external auditors RSM Betty & Dickson (Cape Town) to fulfil all auditing requirements. We are proud to say that we have always been given a clean bill of financial health by our auditors.
- ✚ An annual audit is performed in February and Audited Financial Statements are prepared by RSM Betty & Dickson (Cape Town), in accordance with South African Statements of Generally Accepted Accounting Practice and in the manner required by the Companies Act of South Africa.



## FINANCIAL STATEMENTS

RSM Betty & Dickson completed ACCESS's latest financial audit and we are pleased to provide our most recent audited financial statements for the period March 2008 to February 2009.

### BALANCE SHEET AS AT 28 FEBRUARY 2009

	2009 R	2008 R
<b>ASSETS</b>		
Non-current Assets	56 828	44 674
Current Assets	2 929 646	2 299 871
<b>Total Assets</b>	<b><u>2 986 474</u></b>	<b><u>2 344 545</u></b>
<b>ACCUMULATED RESERVES AND LIABILITIES</b>		
Accumulated (restricted and unrestricted) Reserves	2 873 912	2 243 157
Current Liabilities	112 562	101 388
<b>Total Accumulated Reserves and Liabilities</b>	<b><u>2 986 474</u></b>	<b><u>2 344 545</u></b>

#### Notes on the balance sheet

The financial position of ACCESS strengthened during the financial year ended 28 February 2009 as the general unrestricted reserve funds have increased by 111%. However, our unrestricted reserves still represent only one month's core operating costs, and the board remains committed to building up general reserves further, particularly in the face of the global economic recession and the effect this is likely to have on the availability of funding.

### INCOME STATEMENT FOR THE YEAR ENDED 28 FEBRUARY 2009

	2009 R	2008 R
<b>FUNDING RECEIVED</b>	5 120 939	4 041 414
<b>OTHER INCOME</b>	191 428	100 021
Expenditure	(4 681 612)	(3 322 658)
Surplus for the year	630 755	818 777

#### Notes on the income statement

Donations and grants rose by 27% in the year (to R5.12 million), enabling ACCESS to double the expenditure on its projects. Core operating costs rose by only 9%.

#### Keeping reserves: Damned if you don't, damned if you do?

'There are a number of different views on reserves and we see a range of attitudes from donors in response to an organisation having a reserve. But has this crisis not perhaps highlighted that – as one organisation put it – a reserve is now a 'have to have' rather than a 'nice to have'?

'Some donors do perceive the existence of a reserve as a sign that an organisation does not need further funding. On the contrary, reserves should be seen in a positive light; as a sign that the organisation is in good financial health and so will be in a good position to deliver the results and impact required by the donor. This, in my opinion, is an area where a concerted effort should be made to help donors become aware of the importance and value of reserves – ultimately to the extent where donors are willing to provide undesignated funding for this purpose.'

– Anna Vayanos, head of the Philanthropy Office at BoE Private Clients, writing in *Sangonet Pulse*, June 2009.





## STRENGTHENING OUR COMMUNICATIONS

Contributing team: Denise Damon, Patricia Martin, Bukelwa Voko-Nobatana, Kim Addinall

**Communication is at the heart of what we do. In fact, ACESS can in many ways be regarded as a communications hub.**

Internally, we disseminate information among our members and the children's sector at large, in the process seeking to enhance solidarity and allegiance to a common cause.

Externally, we publicise our campaign events, provide need-to-know guidance on accessing social security, promote public awareness of children's social security issues, engage critically with dominant viewpoints, and give collective voice to the alliance.

Moreover, our communications strategy is not static but constantly evolving in response to changes in our operating landscape and within our alliance itself.

Our membership has burgeoned from an initial 70 organisations to well over 1,100 of them. Numerical growth alone presents a communications challenge, but our challenge is compounded by the fact that membership has grown most in rural and outlying areas – which is what we set out to do, given that we wanted to grow in areas where needs relating to child poverty are the greatest.

Many of our members in these regions don't have e-mail; in many cases, they do not have access to fax machines, and in some cases even postal delivery is problematical.

We have tried to address some of these challenges by making sure that, in an age of instantaneous electronic communication, we don't neglect surface mailing. Moreover, we have sought to enhance our reach by working through other ACESS-member networks such as CATCH, TAC and CINDI, to name a few.

In this spirit, a strategy that has proven successful involves working closely with core and capacitated members who are capable of reaching our shared constituencies in remote areas. The idea is that if our ACESS information reaches these core members, we can rely on it to travel along the grapevine.

However, a powerful way of overcoming such difficulties presents itself in the form of cell-phone technology. We are excited to be exploring this communication innovation with HIV- 911 who is a partner in our enabling documents campaign.

They are launching a cell-phone-based support- and capacity-building project for community-based organisations in rural KwaZulu-Natal, and will include information about birth registration, identity documents and grants in their service. Given that an estimated 90% of South Africans have cell phones, we believe this method of communication could – and should – be used to greater advantage in future.

The multiplicity of South Africa's official languages presents a further challenge, in that our budget simply does not allow us to produce member-communications and literacy materials in all eleven languages.

To get around this, we have partnered with other organisations and government departments, with a view either to having the partners contribute to a common publications fund, or to having each partner take responsibility for one of the languages and arrange for the relevant

translation and distribution.

This has worked well in the past when we partnered with the Department of Social Development and Soul City in the production of our grants literacy material.

A last challenge has been a simple and inevitable by-product of our growth. The more you grow, the more information your organisation generates – and keeping track of it, and continually checking its accuracy, is a demanding occupation.

To this effect, we have been consolidating our member information on an open-source Joomla! platform. We are hoping that the technological improvement will make for smoother communication with our membership base.



## ACCESS ONLINE

A key aspect of our OD process involved reviewing our communications strategy and use of communications media – including our website. As a result we commissioned a complete re-building of our web presence, an exacting process that demanded not only refreshing the look and feel of its design and migrating several years' worth of documentation from the old site to the new, but devising an information architecture that was sophisticated enough to handle the complexity of what ACCESS does and yet sufficiently easy for users to navigate.

Our new website, [www.aces.org.za](http://www.aces.org.za), plays many roles. It is informative for the casual guest, a reference-point for alliance members who are digitally connected, and a resource-centre for researchers of different stripes, be they in the media or in the civil-society sector.

Built on the open-source standard Joomla!, the site allows for regular and relatively fuss-free updating, and features news reports, press releases, announcements, downloads of our research, and much more.

## ACCESS IN THE MEDIA

We have kept up a strong presence in mass and community media – in print publications, on television, and in radio. Our strategic media objectives have been to keep issues relating to children's social security firmly in the public eye, to hold officials accountable for delivering on children's rights, and to profile ACCESS as a bloc of organisations speaking with one voice on these critical matters.

In January 2008 ACCESS launched its Education Toll-free Line as an information service to members of the public who were facing barriers to education. Callers frequently said that learners' report cards were being withheld owing to non-payment of fees; other important concerns were a lack of nutrition at school and parents' inability to afford uniforms.

Led by Sharon September, our team fielded hundreds of queries, and the problems we uncovered in turn received wide attention in metropolitan newspapers and community bulletins.

Most notable was our extensive radio coverage, which saw ACCESS representatives being interviewed on-air by stations such as Ukhozi, Umhlobo, Good Hope, P4, SAFm, CCFm, and Zibonele Radio.

In March the Pretoria High Court ordered the Department of Social Development to exercise its discretionary powers and accept alternative forms of identification from people claiming social grants. In a country where access to grants had rested on possession of an ID document, it was a break-through decision, giving legal reality to a demand ACCESS had been vociferous in making for a long time.

*Pretoria News* had reporters covering the event on the spot, while *City Press*, among others, ran articles on the court order's implications. ACCESS's Alison Tilley was interviewed on Cape Talk radio, and Bukelwa Voko was given a two-hour slot on Radio Zibonele.

In April, ACCESS made public its Rapid Appraisal Report on the Department of Home Affairs, the findings of which received exposure in newspapers such as the *Cape Argus*, the *Cape Times* and *Die Burger*. In addition, SAFm interviewed ACCESS's director, Patricia Martin.

Our 'Ten Days of Activism Campaign', mounted in September in conjunction with the Black Sash, generated large-scale coverage on national radio and television. Linked to our enabling-documents and extend-the-Child-Support-Grant-to-18 campaigns, the 'Ten Days of Activism' culminated in pickets at St Mary's Cathedral and the Cape High Court on the days preceding the Minister of Finance's Budget speech.

In addition to the reports on SABC TV news and in daily papers across the country, the campaign also resulted in over a dozen radio appearances by ACCESS staffers, on stations ranging from SAFm and Cape Talk to Radio Zibonele and Heart 104.9.

Throughout the year under review, we maintained a regular turnover of targeted press releases addressing events relevant to the alliance and asserting its voice in the public domain. Moreover, we were vigilant in monitoring references to ACCESS in print and online media. The results of both of these activities have been collated on our refurbished website, [www.aces.org.za](http://www.aces.org.za), for ease of reference.



## ACCESS PUBLICATIONS

Developing and distributing publications is pivotal to what ACCESS does. Our publications keep our members informed, they serve to build capacity, and – crucially – they establish the foundation of our advocacy work.

### Our publications this year include:

#### Research and monitoring publications

- ✚ 'A rapid review of Co-operative Governance Structures relevant to children in South Africa' November 2008.
- ✚ 'A study on the implementation and impact of the No-fee and School Fee Exemption policies', February 2009.
- ✚ 'A review of education policy to address the active and passive exclusion of HIV and AIDS affected learners', November 2008.
- ✚ 'Position Paper on the Comprehensive Social Security Needs of Children Living in Poverty', October 2008.
- ✚ 'Position Paper on the Comprehensive Social Security Needs of Young Children', July 2008.
- ✚ 'Position Paper on the Comprehensive Social Security Needs of Children affected by HIV and AIDS', November 2008.
- ✚ Charter of Comprehensive Social Security Rights of Young Children (0-9), July 2008.
- ✚ Charter of Comprehensive Social Security Rights of Children Affected by HIV and AIDS, November 2008 (joint ACCESS and CATCH publication).

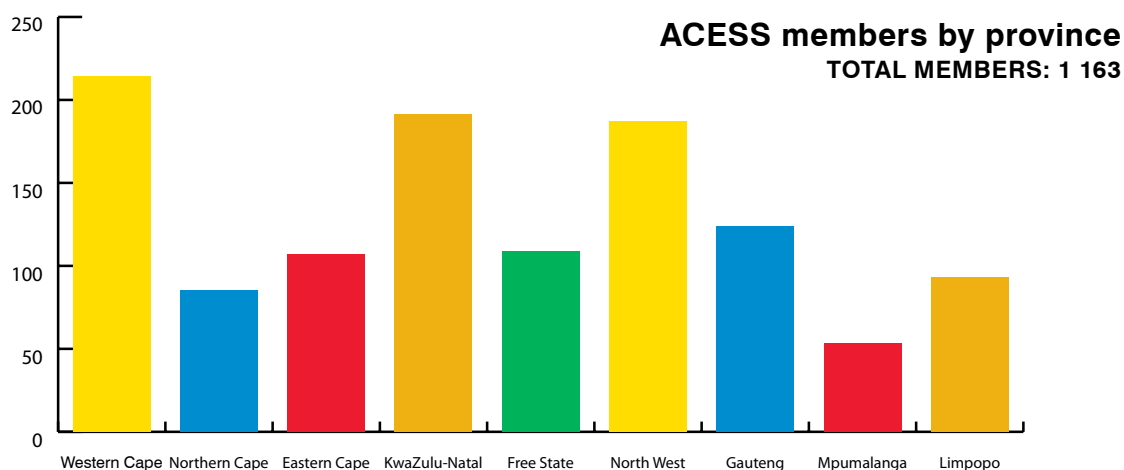


#### Literacy and capacity building material

- ✚ Updates and fact sheets on changes on the law relating to social grants for children in 2008.
- ✚ Services for children 0-8 years – A comprehensive guide to social security benefits for children under 8 years, June 2008.
- ✚ Rights for Children living in an HIV+ World – A comprehensive guide to social security benefits for children living with HIV and AIDS (updated in November 2008).
- ✚ Map of Government Obligations to Realise a Comprehensive Social Protection Package for Children in South Africa.

## OUR MEMBERS

Looking back in time to February 2003, we had a total of only 381 members. Fast-forward to the present and that number has more than trebled to 1,163. More importantly, ACCESS has not only grown – it has grown strategically, having taken root in provinces and communities where the need is most extreme for a network of civil-society organisations dedicated to the betterment of children's lives. For example, our original membership of 29 in Limpopo has risen to 93, and in Mpumalanga that number grew from eight to 53. In North West Province, membership increased almost seven-fold, from 28 to 187, and in the Northern Cape the rate of increase was even higher – over six years, membership expanded almost nine-and-a-half times, from an original nine to the present-day 85.







## HELLOS AND GOODBYES

We said farewell to **Karen Allan**, who very ably coordinated our programmes. She brought energy and organising skills to our issues and helped make inroads in addressing them. For Karen, nothing was ever a problem. Equally at home at a jamboree in Nongoma or delivering a presentation at an international conference, she was respected by colleagues, members, the board, and government representatives alike. We wish Karen all the best in her new role at Save the Children UK.

We said farewell to **Godwin Booyesen**, a longstanding board member. He was voted to our then-Steering Committee at a national meeting in Johannesburg in 2003, and like the others on the committee, became a fully-fledged board member when we registered as a Section 21 non-profit company. Earlier in his life Godwin committed himself to improving the lives of children in marginalised communities in the Free State, and in joining our governing structure he brought with him valuable insights from these experiences. We thank him for his work in the alliance and wish him well for the future.

Although **Denise Damon** joined us in 2008, stepping into the role of programme coordinator vacated by Karen Allan, she is by no means new to ACESS. In fact, she has been part of the alliance since its inception, having worked for Women on Farms, a longstanding member of ACESS, and been active in our campaigns over the years. Denise has also worked for a CBO development organisation, and brings with her a wealth of skill and insight. We welcome her aboard and know she will make a fine contribution to ACESS.

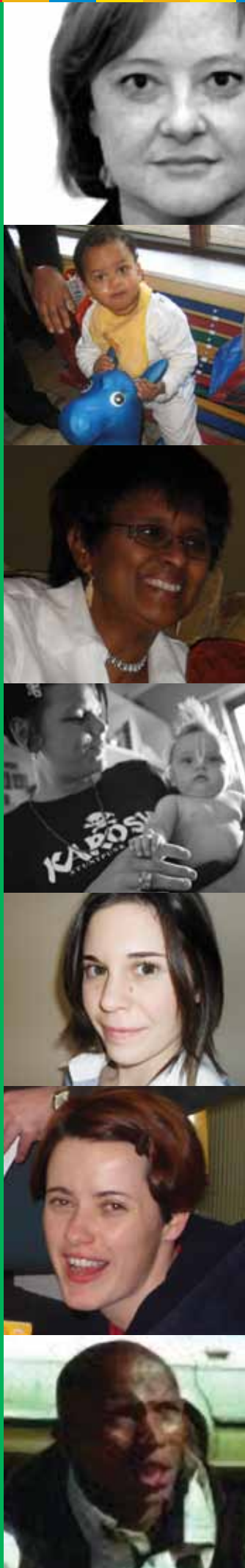
**Alison Tilley** joined us early in 2008 as our Select Campaigns Manager. Alison is a very well-known person within civil society, with a successful advocacy history behind her. We share her with the Open Democracy Advice Centre, where she is chief executive officer. Alison is an attorney both by qualification and at heart, and she fights for social justice with a passion and energy that can lead only to success.

After having undertaken contract work for ACESS in 2008, **Sanja Bornman** was offered a full-time position on the strength of her sterling contribution to our organisation. We welcome Sanja as our project officer, her role being to assist us in research, advocacy and community capacity-building initiatives. She is an attorney by qualification, she brings a strong sense of justice to all she does, and she produces meaningful, high-calibre advocacy work.

**Sharon September** is renowned for her charm and sense of humour; she is renowned, too, for her love of, and dedication to, children. These characteristics of hers have enriched us all in her long association with ACESS as our training coordinator. So it is with special warmth that we congratulate her on her son **Jude**, and welcome him into the ACESS family.

**Kim Addinall** has been with ACESS since the dawn of time in 2002 and we have seen her grow into a valuable member of our staff. We congratulate Kim and Jason on the birth of their beautiful baby girl **Tulasi**, whom we are delighted to welcome into the ACESS family.

*FROM TOP TO BOTTOM:  
Alison Tilley, Jude September, Denise Damon, Kim and Tulasi,  
Sanja Bornman, Karen Allan, Godwin Booyesen*



## PROJECT 2 : PROMOTING A COMPREHENSIVE SOCIAL SECURITY FRAMEWORK

**Contributing team: Patricia Martin, Denise Damon**

ACCESS's mandate centres on the realisation of a comprehensive social security package as recommended by the Committee of Inquiry into Comprehensive Social Security.

Appointed in 2001 by the Department of Social Development, the Committee recognised that the survival and development of all children in South Africa should be the first priority of our social security system. It also recognised that this objective can be realised only through the provision of a comprehensive social security package.

Since its founding, ACCESS has sought to make this vision a reality.

### **Focussing our energies on emerging policies, we have advocated that:**

- ✚ They must be comprehensive;
- ✚ they must be developed through coordinated partnerships between civil society and state departments; and
- ✚ they must look holistically at the needs of children in poverty rather than by way of separate measures for different groups of children.

### **Our objectives are:**

- ✚ To promote the realisation of a comprehensive social security package for all children – especially those made more vulnerable by their specific circumstances – which guarantees their rights to grants, enabling documents, health care, food and nutrition, stimulation, development and education;
- ✚ to develop an informed, evidence-based common advocacy framework within which the network of alliance partners and affected stakeholders can work in unison towards realising a full and comprehensive social security package;
- ✚ to promote the development of coordinated government policies and programmes that provide a comprehensive social security package made up of grants, health care, nutrition, education and basic services such as water and electricity; and
- ✚ to promote models of integrated service delivery which complement the coordinated comprehensive social security policies.



*Young Child Conference - July 2008 Held in WC - ACCESS Members and Stakeholders.*



*Young Child Conference - July 2008 Held in WC - ACCESS Members and Stakeholders.*



## PROGRESS WE HAVE MADE

**ACCESS has built a strong shared evidence-based advocacy framework for collaborative promotion of vulnerable children's rights to a comprehensive package of grants, education, health, food and nutrition, enabling documents and basic services.**

This common guiding framework is articulated in our Charter of Comprehensive Social Security Rights for Young Children and our Charter of Comprehensive Social Security Rights for Children Made Vulnerable by HIV and AIDS.

The two Charters were formulated through a process of research, consultation and consolidation. The first phase of their origination was the development of various research papers, which in turn informed the second phase – our national consultative process in Cape Town in July and November 2008 on the comprehensive social security needs of Young Children and Children made vulnerable by HIV/AIDS.

The conferences' objective was to agree on the goals that must be met to realise our international and national obligations to these children in order to achieve a comprehensive social security package.

In addition, the conferences sought to assess how far we have come and how far we have to go as a country to realise the stated goals, and to develop a map of obligations that must be fulfilled in order to realise our goals.

The consultative process resulted in a shared and agreed statement of Minimum Obligations that must be met by government in order to realise the rights of young children and those made vulnerable by HIV/AIDS to grants, enabling documents, education, health care, food and nutrition.

The objective is that the further development of policies and laws be undertaken as far as possible in accordance with the goals and obligation stated in the Charters.

We have shared the framework with core cooperative structures such as the Interdepartmental committee for ECD, the SANAC implementation committee, and Human Rights task teams, NACCA and the Social Development unit responsible for developing the National Policy Framework in terms of the Children's Act and other representatives, and done so with a view to the issues being built into the M&E frameworks and plans for future development and delivery of their mandates.

On the civil society front, we aim to see the advancement of the Charter goals and obligations through the collective actions of diverse ACCESS members and partners working towards the same goals and objectives.

**The way forward:** We will continue to advocate for the realisation of the comprehensive package and the specific elements of its goals and obligations contained in the shared advocacy framework. Our advocacy targets include civil society, government and the various cooperative governance structures (both government and civil society structures) which have been tasked with coordinating delivery of comprehensive social security to vulnerable groups.

## THE CHARTER IS A SHARED ROAD MAP

The Charter provides a shared framework of goals, rights and responsibilities against which we can develop our plans and activities and monitoring and evaluation frameworks – so that we are sure we are collectively working towards the realisation of the comprehensive social security rights of all young children and all children affected by HIV and AIDS.

## THE CHARTER DEFINES A COLLECTIVE MISSION

We are asking every ACCESS member organisation, partner and friend to ratify the Charter by signing a statement of commitment and lodging it with ACCESS. By becoming a signatory to the Charter, we aim to mobilise broad-based commitment to advancing the realisation of the obligations contained in the Memorandum of Minimum Obligations. The full Charter may be viewed on our website.





*Young Child Conference - July 2008 Held in WC - HIV Conference - Nov 2008  
ACCESS Members hard at work*

## PROGRESS WE HAVE MADE

**Through advocacy around matters raised in the position papers and through the development of the memoranda of minimum obligations we have advanced the realisation of a number of core obligations contained in the memos of minimum obligations.**

Many of the obligations stated in the memoranda of obligations have been dealt with at a policy level during 2008, and ACCESS has capitalised on advocacy opportunities to call for them to be met.

This included our successful calls (together with the Children's Institute that conducted the foundational means test research that was crucial in moving this campaign forward) for the revision of the means test threshold for admission to the CSG benefit as well as the unfolding discussion about a poverty line for South Africa.

ACCESS was very pleased to see a positive development this year in regard to adjusting the means test threshold upward to R2,200 per month across the board for all poor families. We have argued for a long time for the adjustment of the means test, and this year we applied ourselves to developing a reasoned argument underpinning the level at which we believe it should be adjusted, which is R 2,200 per month.

The Department's adjustment to R 2,200 means that far more poor families qualify for the CSG than before.

In addition, the Department of Social Development is currently engaging in a process dubbed 'Strategic Considerations for a Comprehensive System of Social Security', and ACCESS is participating in it. We attended a national conference in July 2008 and, together with the Black Sash, will be submitting commentary on their discussion document.

Our commentary will focus on meeting the needs of poor children through their comprehensive review and will address the need to extend the CSG to 18, the need for financial support by children who are orphaned and living with extended family members, the need to provide an extended Care Dependency Grant to children who are HIV-positive, the need to address service delivery barriers, and the question of the poverty line for South Africa.

ACCESS met a high-level delegation from the National Department of Social Development in Pretoria in August 2008. The agenda covered themes relevant to a comprehensive social security package, with a focus on the provision of financial assistance as the foundational element of the package.

Matters we discussed included the implementation of recently amended regulations allowing for CSG applications without bar-coded IDs and the extent to which accessing birth certificates and IDs poses a barrier to delivery of the comprehensive package. The meeting explored the establishment of a formal relationship that would enable us to work together on these issues.

The meeting also addressed the need for financial support for children orphaned and living with extended family members outside of the current foster care system. The Department had attended an ACCESS workshop on the matter, and we were advised that the Minister is in favour of a grant similar to the grant advocated for by ACCESS – namely a caregiver's grant. In the light of the issues raised at the workshop, the Department had commissioned research on models best suited to address them.



*CSG to 18 party - Students waiting patiently for announcement by the Minister of Finance*



*CSG to 18 party - ACCESS Staff, Sharon September and Karen Allan*

The meeting ended with the agreement that we will develop a formal partnership which will be managed by a memorandum of understanding and which will seek to bring in the Department of Home Affairs and the South African Social Security Agency.

An ACCESS delegation of staff and members met the Director General of the Department of Home Affairs plus a number of his managers to present the findings of our research into the problems of accessing the comprehensive package for children whose births are not registered and/or whose caregivers do not have bar coded identity documents.

Our research was well received and we were invited to work in partnership with the Department under its 'Vulnerable Groups' project. We have developed a proposal and submitted it to the Department for implementation in 2009.

We sought on numerous occasions to secure an opportunity for briefing the Home Affairs Portfolio Committee. We know that the Committee chair is pleased with the ACCESS research and the potential it has to address some of the concerns within the Department; however, he kept postponing the meeting and it has never taken place.



## **PROGRESS WE HAVE MADE**

**We have developed advocacy tools and aids for use by the alliance and its partners in advancing the common advocacy framework.**

Developing an advocacy foundation has additionally involved building an information library about the various policy-making processes, structures and departments that do, or could, have an impact on developing and/or delivering the comprehensive package for vulnerable children.

What makes this information necessary is our need to know who the best strategic targets are for our advocacy messages. We also need to be able to analyse the nature of cooperative governance in South Africa and know how it can be improved upon in order to realise a holistic package for vulnerable children.

In essence, we have developed a toolkit that will ensure our advocacy campaigns are more strategic and targeted. There are two primary tools.

**A map of government obligations:** It gives detailed information about what government department is responsible for which aspects of the package, who the key role players are within each government department, and what the departmental priorities are.

**A review of cooperative governance:** Effective collaboration between government entities, and between state and civil society, is essential in the development and implementation of policy to address the multiple and inter-related needs of children. Cooperative governance structures play an important role in strengthening collaboration. In an effort to promote and improve collaboration, ACCESS commissioned a review of these structures, and our report is intended as a resource for anyone involved in policy development, service delivery, research or advocacy for children.



## PROGRESS WE HAVE MADE

**We have successfully advocated for improved cooperative governance. We have used our research report to advocate for better cooperative governance to improve access to the full comprehensive package for all vulnerable children.**

All of ACCESS's consultative processes designed to develop a shared advocacy framework have provided a dedicated space to consult specifically on cooperative governance as an essential ingredient in delivery of the relevant comprehensive social security package.

For example, at the two conferences on young children and children made vulnerable by HIV/AIDS, we had dedicated commissions that examined integrated planning and service delivery of a comprehensive package for these groups. We also commissioned a supplementary paper on integration of services within the ECD context.

As a result, we have a valuable, detailed statement of recommendations, which has been taken on board by many of the relevant cooperative governance structures who had representation at the conferences, and/or who have subsequently been addressed on the recommendations.

As a result of our research and the discussions it generated, there is a pointed awareness of the need for further in-depth research and recommendations into cooperative governance.

Further studies have been commissioned within civil society, and NACCA, together with Save the Children UK, has commissioned a study of relevant provincial cooperative structures.

Our recommendations have been taken up by a number of cooperative structures so as to improve the quality of their work and to enable them to better fulfil their mandate. This includes the Child Care and Protection Forum.

More specifically, ACCESS was asked to share the cooperative governance research results and recommendations at a meeting of the Children's Bill working group in October 2008. At the same time, Sanja Bornman attended a Children's Act Steering Committee meeting regarding the development of an M&E framework and raised several core issues from the report.

Research into cooperative governance research is an invaluable advocacy tool for ACCESS, its members and broader stakeholders. We are experiencing a positive response to the information from both civil society and government, and believe it has the potential to found better cooperative governance structures in future.



## PROGRESS WE HAVE MADE

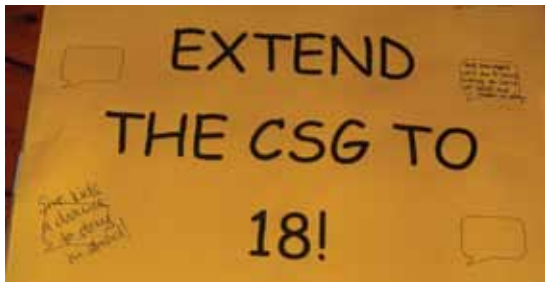
**We have promoted access to the package by vulnerable children.**

Whilst laying this advocacy foundation, ACCESS has sought to promote access to a package of grants, services and benefits for targeted groups of vulnerable children through: (a.) the development of literacy material publicising what is available comprehensively for these children; and (b.) through the building of members' capacity to promote access to the relevant package.

Our literacy material has included a literacy comic on the comprehensive package available for young children, an updated comic on what is available for children made vulnerable by HIV/AIDS, as well as various updates to members about policy and service delivery innovations that would potentially make access to the package easier.

This includes updates about the adjustment to the means test for the CSG and the enactment of the regulations to the Social Assistance Act allowing applications of grants in the absence of bar-coded identification documents.





Ten Days of Activism 2008



Ten days of Activism 2008

## PROJECT 3: WIDENING THE REACH OF SOCIAL ASSISTANCE

**Contributing team: Alison Tilley, Bukelwa Voko-Nobatana**

Appointed in 2001, the Committee of Inquiry into a Comprehensive Social Security System for South Africa found the social assistance component of the social security system to be entirely inadequate to meet the country's socio-economic needs.

Its core concern was that social assistance available in the form of grants was not comprehensive in and of itself. What the Committee believed was necessary was a universal, developmental approach to the provision of social assistance to all South Africans living in poverty, and it made two recommendations.

The first was the introduction of two poverty-linked grants – a Basic Income Grant (BIG) for all adults and an expanded Child Support Grant (CSG), to be extended to all children under the age of 18. The second was that social assistance be made available to meet the additional needs of children living with a disability and/or in other circumstances that created additional needs.

From the outset, ACESS has sought to advance the realisation of these crucial recommendations.

When we started in 2002, 11 million children (0-18) in South Africa were living on less than R200 a month and desperately in need of income support. However, only 2.1 million children under six years were receiving the CSG. Eligibility for the CSG for children under six was determined according to the means of the child's caregiver(s).

**The means test that applied to the child's primary caregiver was as follows:**

- ✦ If the primary caregiver lived in a rural area or informal housing in an urban area, she and her spouse had to jointly earn R1 100 per month or less to qualify; and
- ✦ for those living in formal housing in an urban area – the means test threshold was R800 per month.

These means test thresholds had not been adjusted since 1998 and were out of kilter with the real cost of poverty, excluding many children from social assistance.

**ACCESS campaigned for the widening of the social assistance net to address these serious shortcomings by advocating for:**

- ✦ The extension of the CSG to all children up to the age of 18 as the first phase of a BIG for all;
- ✦ the adjustment in the short term of the means test income threshold, and in the longer term, for doing away with the means test for social assistance; and
- ✦ an appropriate form of social assistance for children living in alternative care because their biological parents are deceased, are too ill to care for them, or have abandoned them.

**Our objective is that by 2015 all poor and vulnerable children shall have easy access to adequate grants through:**

- ✦ The extension of the CSG to 18 (with no conditions attached);
- ✦ the introduction of a caregiver's grant for children living with extended family;



CSG party - ACESS Board Member - Mama Darlina with students



CSG to 18 party



Sharon September from ACESS and Ratula Beukman from Black Sash - Ten Days of Activism

- ✚ the extension of the CDG for all children living with disabilities; and
- ✚ a grant for children with chronic illnesses, including HIV/AIDS.

### PROGRESS WE HAVE MADE

- ✚ The CSG has been extended to all poor children up to the age of 15.
- ✚ The means test has been adjusted upwards to accommodate children and their caregivers who are living in poverty.
- ✚ At the end of 2008, almost eight million poor children up to the age of 15 were receiving the CSG – four times as many who received it in 2002.

### THE CSG TO 18 CAMPAIGN

Over the last few years, ACESS and its partners succeeded in advancing the extension of the eligibility age from six to 14.

After further campaigning, there were strong indications that the extension to 18 was finally at hand. ACESS members gathered near Parliament in February 2008 on the day of the budget vote, hoping to celebrate the event. But balloons and an 'eighteenth-birthday' cake were sad testament to hopes unfulfilled. The Minister simply noted that a roll-out was on the cards; the increase he announced was only to age 15.

As part of our advocacy campaign in 2008, ACESS had supported Florence Mahlangu's case which was taken on by the Children's Institute, asking for an order that the Ministers of Social Development and Finance extend the CSG to 18. We were hoping that a ministerial announcement of this extension would make the case unnecessary. Those hopes having been dashed, the case remains critically important.

Ms Mahlangu approached the Legal Resources Centre (LRC) for assistance in 2004 because she had difficulty accessing the CSG for her eight-year-old son. Thanks to efforts by the Children's Institute (an active ACESS member) and the LRC, she eventually managed to receive the CSG for her son.

However, acting in the public interest on behalf of other poor caregivers and children with teenage children, Ms Mahlangu is asking the court to extend the grant to all poor children under 18. The Ministers of Social Development and Finance opposed Mrs Mahlangu's application. The case was heard in March 2008. We still currently await judgment.

After our disappointment in February 2008, we scaled up our advocacy and announced the launch of 'Ten days of activism of the Child Support Grant' during 10-21 October 2008, which included handing over a petition to government on the day the Medium Term Expenditure Framework was announced.

Our symbol for the 'Ten days of activism of the Child Support Grant' was a yellow balloon. We used it as an awareness-creation tool and encouraged all organisations supporting the campaign to display it outside their offices as well as to participate in the events we had planned.

ACESS held two demonstrations, the first involving women in support of the CSG, the second involving lawyers, who displayed their support outside the High Court in Cape Town. The yellow balloons were an excellent focal point in the demonstrations, and all participants wore yellow ribbons to show solidarity with our campaign.

The ten days ended on a high note with the handing over of the petition to Director General of Social Development Vusi Madonsela and his deputy, Selwyn Jehomah. This also resulted in welcome



media coverage: over 15 radio interviews, nine newspaper articles, eight website stories, and four TV news bulletins.

At the end of 2008, we decided to give the CSG campaign a sharper political edge and put seven of the country's top political parties to the test: Where does your party stand on the CSG? (The results can be read at [www.aces.org.za](http://www.aces.org.za) under 'News & Editorial'.)

In his State of the Nation address at the start of 2009, President Motlanthe said, 'Government will sustain and expand social expenditure, including progressively extending access to the child support grant to children of 18 years of age.'

This promise was not kept in the budget announced five days later.

Given the waves of raised expectations and dashed hopes we had ridden, the ACCESS team was elated in March when the Minister of Health said the Cabinet had approved an extension of the CSG to 18.

Our congratulatory press release had hardly been dispatched when news came in that the Minister had made a mistake – Cabinet approved no such thing.

Organisations involved in the campaign convened for discussions, and at the suggestion of the Black Sash, we issued a formal request to Cabinet for a meeting of their Social Cluster and the leadership of our organisations. The request has received no response.

The Parliament newly elected in 2009 provides fresh opportunities for us to advocate for an extension of the CSG and we have every intention of pursuing this campaign until it is resolved to the satisfaction of our central stakeholders: the poor and destitute children of South Africa.

## THE MEANS TEST CAMPAIGN

The means test campaign has as its goal the implementation of a single means test for the CSG, at a value of R2,200 per month for 2008.

The means test had been at most R1,100 a month for people in rural areas, and R800 for those in urban areas. Given that the test had not been adjusted since the CSG was introduced, it meant that to qualify for the grant in 2008 you had to be roughly twice as poor as you were in the late 1990s.

The Minister of Social Development agreed to review the means test. The Department published a research report that described various options for a revised test, including scrapping it altogether.

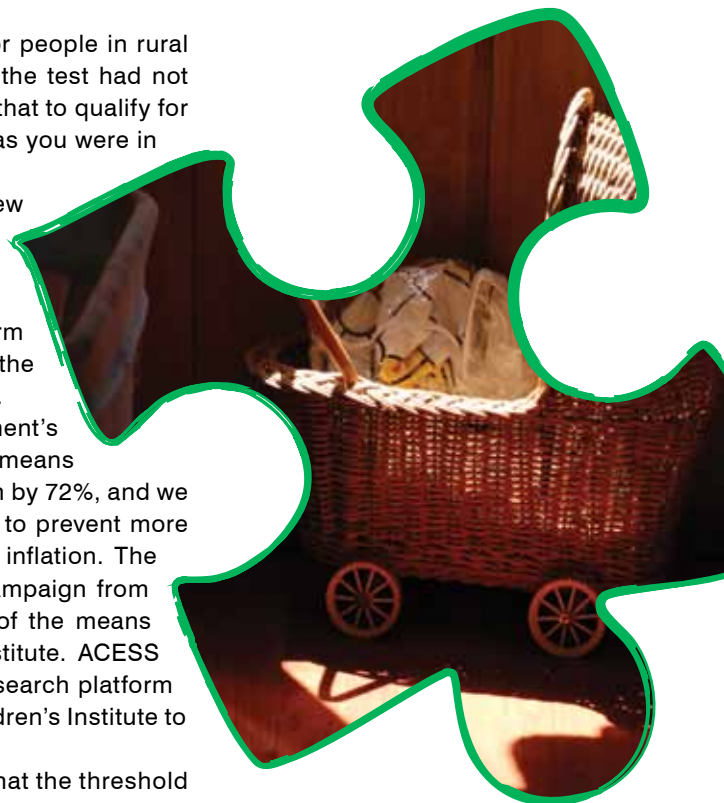
While we agreed that the latter was the right long-term solution, in the short-term ACCESS called for a revision of the means test and a mechanism for adjusting it every year.

We were particularly pleased that the Department's research report announced possible changes to the means test. The report indicated that the cost of living had risen by 72%, and we argued that reviewing the matter was urgently needed to prevent more poor people losing access to the grant as a result of inflation. The children's sector has taken much of its lead in this campaign from the research and litigation regarding the adjustment of the means test that has been spearheaded by the Children's Institute. ACCESS specifically has built its advocacy campaign on this research platform and has supported the litigation undertaken by the Children's Institute to change the means test.

In his budget speech, the Minister later announced that the threshold for the mean test had been raised to R2,200 for the CSG, adding that 'these reforms in our social security system will go a long way towards widening the social security safety net and may see the entry into the system of two million deserving people'.

ACCESS welcomed this important victory, saying in a press release, 'Caregivers have not seen an increase in the means test in ten years. More than six out of ten children in South Africa are poor – this increase will mean they will all be entitled to access the grant'.

The new regulations were promulgated in August 2008. Since promulgation the means test has been revised even further upward to R 2,300 per month for the CSG as of the beginning of 2009.





## **THE PLIGHT OF ORPHANED OR ABANDONED CHILDREN LIVING WITH RELATIVES**

ACCESS has campaigned for some time for the introduction of an alternative model of financial or other support for children who have been orphaned or abandoned by their parents (especially in the context of the HIV/AIDS pandemic) and who are being cared for by extended family members.

In recent years such children and their extended relatives – primarily elderly maternal family members such as aunts and grannies – have resorted to using the foster care system to obtain foster care orders and thereby gain access to the foster care grant in order to provide for the children under their care.

The result is that the foster care system is in crisis.

Originally designed to cope with a few thousand cases a year, the system had less than 50,000 children in foster care in April 2000; the latest figures from the Department of Social Development now put that figure at almost 450,000 – which in itself is but the tip of the iceberg of all the children who are potentially eligible.

ACCESS has advocated for an alternative system that does not require a court process or investigation by social workers and ongoing monitoring by them. We have asserted that the child-and-caregiver relationship should be recognised through an alternative administrative agency; that social workers provide services necessary to the child's circumstances; and that, over and above the CSG, a supplementary grant be paid to caregivers to care for children who are not their legal responsibility.

We advocated for this model to be adopted in the new Children's Act, and although this did not happen, our core concern about overburdening the system was heard and acted upon in the reformulation of the foster care provisions, which had the effect of simplifying procedures and minimising the strain on social workers and courts.

The Children's Act now specifically provides that if a child is orphaned or abandoned by his or her parents and has no visible means of support, that child is deemed automatically to be in need of care and protection, and may be placed in foster care with a family member after the child protection procedures in the Act have been complied with.

ACCESS convened a national workshop in May 2008 to review the new provisions introduced by the Children's Act with a view to assessing if they were sufficient to meet the needs of this group of vulnerable children without placing the foster care system in crisis.

The workshop's conclusion was that, given the rate of orphaning by HIV/AIDS, over two million children who have lost one or both parents and been taken under the care of relatives would qualify to use the Children's Act Foster Care provision – and that South Africa does not have the infrastructure to deal with such a potential avalanche of applications that could arise when the Children's Act and Children's Amendment Act come into force.

In response to these concerns, ACCESS developed a revised alternative model which we believe would meet this group's needs without placing the foster care system in further crisis.

In this model, relatives of orphaned children should be able to access a grant similar to the foster care grant, administered by SASSA. They should not have to go through the Children's Court. Community-based services need to be strengthened so that these families get proper prevention and early intervention services. In addition, social service practitioners such as child and youth care workers or auxiliary social workers should assess and respond the needs of the family.

This new alternative would reduce the number of court cases, leave highly skilled social workers to deal with the protection cases and, if supported by the right services, engender a developmental approach to social protection.

In advocating for the new alternative model, ACCESS included key government officials in the review process. Participants at the review workshop recognised both the looming crisis as well as the need for an alternative means of accessing financial support. At a later workshop convened by the Department of Social Development, ACCESS made a presentation on our workshop outcomes and recommendations.

Most recently, the Department of Social Development commissioned research into the need for an additional top-up grant for caregivers in these circumstances – research whose outcomes we will follow closely as we continue to engage all relevant parties around this crucial issue.

# PROJECT 4: ADDRESSING BARRIERS TO SOCIAL SECURITY

**Contributing team: Alison Tilley, Bukelwa Voko-Nobatana, Sharon September, Patricia Martin**

Since 2001, when the Committee of Inquiry into a Comprehensive Social Security System for South Africa made its recommendations, numerous policy innovations – driven strongly by the children’s sector – extended the reach of social security in all its dimensions.

Unfortunately, implementation of policies has not always been effective. There is still a thicket of barriers which frustrate access to many of the comprehensive social security rights created in law in the last few years.

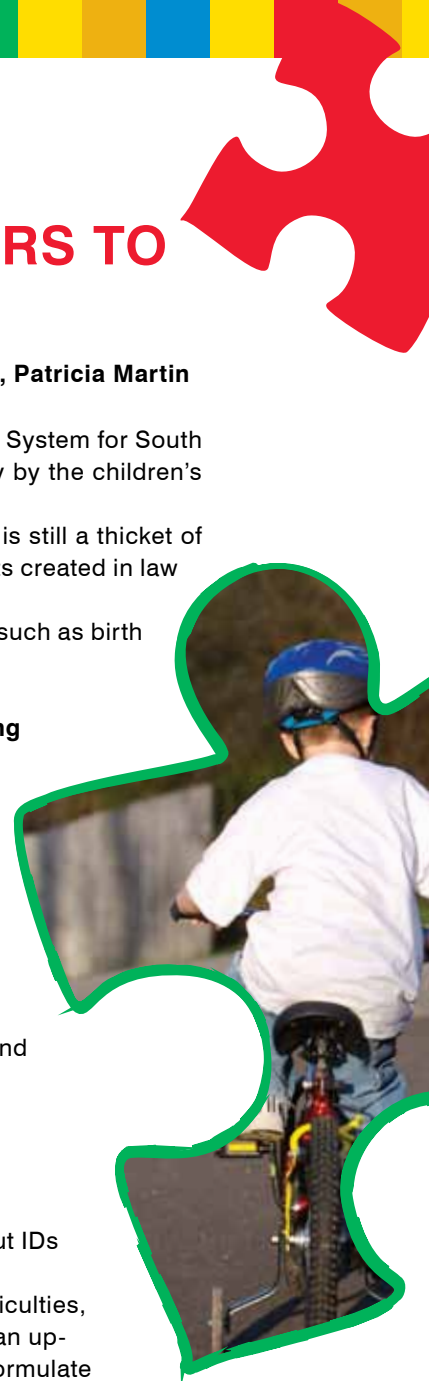
These barriers have most notably involved issues around enabling documents (such as birth certificates), transport costs, and knowledge of processes.

**Our objective is to address the service delivery barriers presented by enabling documents and transport costs through advocacy for:**

- ✦ An expanded Home Affairs footprint in vulnerable communities;
- ✦ automatic issue of free unabridged certificates upon birth registration;
- ✦ development of community-based support networks facilitating access to enabling documents;
- ✦ improved access to the CSG for children and caregivers within the first two years after birth;
- ✦ improved access to the CSG for children without birth certificates in terms of the revised regulations;
- ✦ a national transport policy that addresses the transport barrier to services; and
- ✦ the availability of more integrated service delivery sites at which multiple services can be accessed.

## PROGRESS WE HAVE MADE

- ✦ Litigation by ACCESS succeeded in compelling the Department of Social Development to allow children without birth certificates and caregivers without IDs to apply for the CSG.
- ✦ By monitoring the extent to which these various barriers continue to pose difficulties, particularly in poor and remote vulnerable communities, we have developed an up-to-date evidence-base against which other stakeholders and ourselves can formulate campaigns and programmes that meaningfully tackle the most resilient of barriers.
- ✦ We have taken the findings of our research on the impact of Home Affairs’ practices and policies on the wellbeing of children and consulted our members to develop an Enabling Documents campaign.
- ✦ In 2007 we conducted research into Home Affairs’ practices and policies that impact on children. Our results and recommendations were shared with the Home Affairs turnaround team, the Home Affairs national and provincial offices, the Parliamentary Portfolio committee, and the social cluster. They also received extensive media coverage, thereby raising the profile of the campaign and our demands. The Department of Home Affairs has agreed to partner with ACCESS and form part of our enabling documents task team.
- ✦ Through this process we made an impact on the Department of Home Affairs’ turnaround strategy, as its Director General acknowledged in a letter to us.
- ✦ Birth registration and enabling documents have been integrated into ACCESS’s comprehensive advocacy and service delivery frameworks for young children and children affected by HIV/AIDS. Our relevant charters and research documents and recommendations have been conveyed to key cooperative governance structures such as the Law and Human Rights technical task team for SANAC, the NIP for ECD and NACCA.





**Letter from Mr Msimang, Director General of Home Affairs, 9 April 2008:**

*'As part of the design process [of our comprehensive turnaround strategy], we met with a number of organisations, including ACCESS. The Department wishes to place on record its appreciation of the constructive manner in which ACCESS and other NGO's engaged the department and shared their experiences and concerns. Your combined inputs contributed to the design of a new operating model, including strategies that relate to the key matter of improving access by all citizens to secure enabling documents.'*

## **A WATERSHED LEGAL INNOVATION**

From our earliest days we sought to address a key barrier, namely the identification documents that were required in terms of the Social Assistance Act to obtain grants. We began discussions with the Department of Social Development as early as 2003, with a view to remedying the barrier by amending the Social Assistance Act, but had to resort to suing the Department to allow caregivers and children to use alternative identification (other than bar-coded birth certificates and identity documents) when applying for grants.

After four years of litigation, we succeeded in compelling the implementation of a new set of regulations.

In terms of these regulations, caregivers who do not have their bar-coded identity documents for themselves or their children may apply for a grant using alternative documents, including an affidavit and supporting documents such as a clinic card or a baptismal certificate; once they have applied for and received the standard identification documents, the grant becomes permanently available to them. In conjunction with the South African Social Security Agency, the Department has developed a plan of action in order to permit children and caregivers to apply for a temporary grant while they wait for their ID documentation.

But reports from our members, along with the preliminary results of our research into barriers, show that the new regulations have not been satisfactorily implemented.

A report by the Department – produced as required by the court order – indicates that in June-September 2008, about 2,300 children without documentation received the CSG, which we believe to be far lower than the actual number of qualifying beneficiaries.

## **RESEARCHING BARRIERS TO SOCIAL SECURITY**

During 2008, after the introduction of the new regulations allowing the use of alternative forms of identification, we conducted a monitoring exercise targeting extremely poor rural areas with persistently low grant take-up rates.

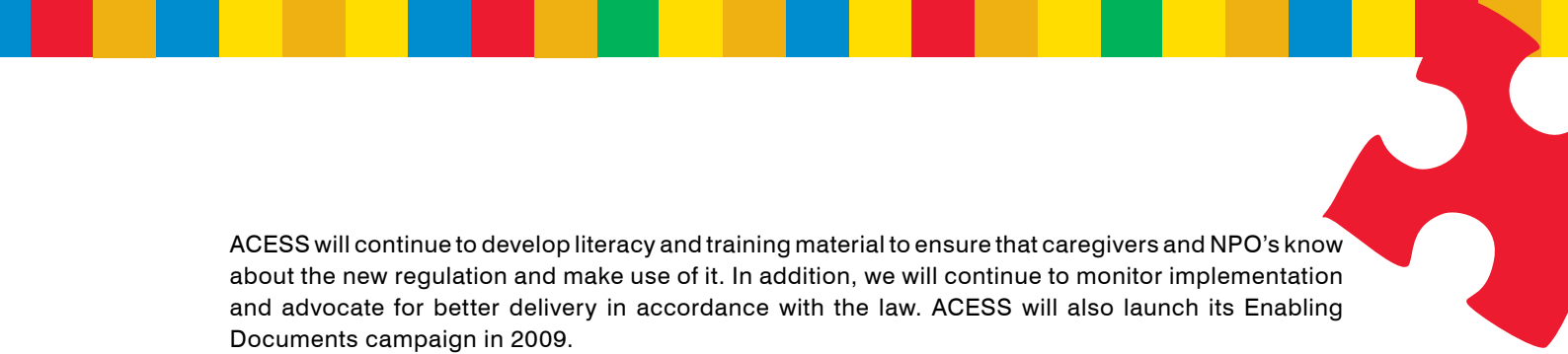
Our research found that enabling documents remain a core barrier especially in rural vulnerable areas. In particular, lack of birth registration and other documents is problematic for access to the CSG in the first year of a child's life.

Moreover, difficulties in accessing these documents and the CSG are compounded by a lack of knowledge of the procedures and requirements that potential applicants need to follow and meet; conversely, the closer people in these areas were to source information and support, the better the rate of access.

A further barrier common to both the enabling documents and the CSG is the cost barrier – that is, the cost of transport to obtain copies and make applications, as well as the cost of photographs and other incidentals necessary to make the application. The cost barrier was found to frustrate access to enabling documents which in turn frustrates access to the CSG (requiring enabling documents to apply for the grant) – which in turn frustrates access to enabling documents.

The research confirmed that many of the difficulties associated with birth registrations and accessing enabling documents are aggravated in the context of HIV/AIDS. Poverty levels, maternal illness, death and increased child mobility in AIDS-affected communities leaves many children without the supporting documents and/or adults required to register their births.





ACCESS will continue to develop literacy and training material to ensure that caregivers and NPO's know about the new regulation and make use of it. In addition, we will continue to monitor implementation and advocate for better delivery in accordance with the law. ACCESS will also launch its Enabling Documents campaign in 2009.

## **THE ROAD AHEAD: THE ENABLING DOCUMENTS CAMPAIGN**

Taking into account all of these developments and discoveries, ACCESS developed and laid the foundation for our Enabling Documents campaign during the course of 2008.

Enabling documents are essential to access all socio-economic rights guaranteed by the constitution, whether for children or adults. These rights include the right to social assistance, to an education, to health care, to inherit family property upon the death of parents, etc.

Without access to enabling documents (and research shows that the most vulnerable are the most at risk of not being able to get these documents) it is not possible to access income support – and without income support, poor families struggle to access enabling documents. In addition, enabling documents are required to access health care, schooling, housing as well as free basic service such as water and electricity.

Experience and research has consistently shown that significant numbers of poor children and their families, particularly those living in marginalised rural areas of our poorer provinces, have great difficulties in obtaining enabling documents from the Department of Home Affairs, which is responsible for registering births and issuing all certificates, while the South African Social Security Agency (SASSA) is responsible for processing grant applications and making grant payments.

However, the reach of both of these agencies is limited; both have recognised the inadequacy of their 'footprint'.

### **Our Enabling Documents campaign will take place at three levels.**

It involves a coordinated multi-party community outreach campaign which will seek to link people in vulnerable communities and their applications to Home Affairs. The network members will together provide networked sites of support and service delivery in relation to enabling documents and grants.

Moreover, the campaign involves advocacy – advocacy to guide the expansion of services by the Department of Home Affairs and SASSA into the rural communities so as to reach marginalised beneficiaries effectively.

Along with the coordinated campaign facilitating ongoing dialogue between the community-level representatives in the network and the relevant agencies, the community outreach campaign will be complemented by provincial communications' programmes targeting Home Affairs and SASSA clients, staff, ACCESS members and the communities they serve.

Primary communication media will include: community radio, newspapers, comic strips, messaging on popular brand products (such as maize meal, sugar, washing powder) and posters and audio-visuals at key contact points (including antenatal services, maternity wards, health facilities, Home Affairs service points, grant application and pay points, schools and ECD centres).

ACCESS proposes coordinating an initial intensive intervention in KwaZulu-Natal, focussing on a targeted rural disadvantaged district marked by high numbers of children and caregivers not accessing their enabling documents. Our intervention will be conducted through a partnership between district, provincial and national level government, local paralegal and community service providers (affiliated to the ACCESS network) designed to address poor access to enabling documents.

The objective is for the intervention to be picked up in the other provinces and to be complemented by provincially-specific communications campaigns.



### **Why are enabling documents important for vulnerable children and families?**

In terms of section 28(1) (a) of the Constitution every child has the right to a name and a nationality from birth. The birth registration process and the issuing of a birth certificate is the cornerstone of this right.

### **The Enabling Documents Campaign**

We have drawn on the strength, knowledge and networks within ACESS to develop a campaign that will contribute to an increase in access to enabling documents, especially birth registrations and identity documents and an increase in access to the CSG within targeted vulnerable rural communities marked by low birth registration and grant take-up rates.

#### **The campaign focuses on birth registration and has three aspects:**

- ✚ An advocacy drive to expand the reach of Home Affairs into vulnerable communities;
- ✚ a community outreach/coordinated service delivery model, whereby ACESS, its members, partners, Home Affairs, Education, Health and others work together to ensure that vulnerable communities can access birth registration services at multiple informed sites of service delivery; and
- ✚ a communications, literacy and awareness-raising campaign to increase public knowledge of the importance of registering births and how it is done.

#### **The objectives of the Enabling Documents campaign:**

1. Extend the reach of the services relating to birth registration, identification documents and grant access into targeted vulnerable rural communities marked by poverty, high HIV prevalence and poor infrastructure.
2. Increase access to justice for targeted communities, specifically with regards to their ability to enforce their rights to enabling documents and grants.
3. Greater awareness and understanding of enabling document and grants rights and processes by the community network members, the communities they serve as well as Home Affairs officials, SASSA officials, schools and health officials.
4. Improve service delivery practices to address the needs and problems associated with accessing documents, enabling documents and grants by rural communities.
5. Establish a working partnership between ACESS members and partners in a targeted provincial rural district and the Department of Home Affairs, SASSA and other departments and business.
6. Regular engagement between Home Affairs, SASSA and other government departments and community-based organisations servicing the targeted communities around the issue of access to enabling documents and grants.
7. Increased knowledge and awareness at a community, district, provincial and national level of the rights, processes and redress relating to obtaining enabling documents and grants.
8. Increase the rate of birth registration and grant take-up rates in the targeted communities.



## PROJECT 5: ENSURING ACCESS TO EDUCATION FOR ALL

**Contributing team: Sharon September, Sanja Bornman, Patricia Martin**

Section 29(1) (a) of the Constitution states, 'Everyone has the right to a basic education, including adult basic education'. It translates into an obligation on the state to provide free, quality education to all children. Unfortunately, this obligation is not being met for children living in poverty and those affected by HIV/AIDS.

It is important to note that the right to basic education is not qualified by the phrases 'within available resources' or 'progressive realisation of the right', as is the case in many of the other socio-economic rights provisions of the Constitution.

This means that the right to basic education is an immediate right, unlike the right to further education, which is subject to available resources as well as progressive realisation. It would seem to imply that resource constraints should not be applicable in determining the content of the right to basic education.

Unlike the European Convention, which is formulated in the negative ('no person shall be denied the right to education'), the South African Constitution provides for a positive obligation.

However, the South African Human Rights Commission (SAHRC) recently conducted hearings on the right to education and found, inter alia, that two key factors impede access to education for vulnerable children in South Africa: poverty and HIV/AIDS.

Many cannot afford quality education because of both school fees and other hidden costs such as school uniforms and transport costs. In addition, many children are hungry at school, which affects their participation in the classroom and ability to learn. The dropout rate of learners in South Africa and its link to poverty is also a matter of concern.

Children infected and affected by HIV/AIDS have special needs that the education system and teachers need to be aware of in order to ensure that education is adaptable in responding appropriately to this enormous challenge.

A World Bank report has found that a 'good basic education ranks amongst the most effective – and cost-effective – means of HIV prevention'. In view of the direct link between education and reduction of the infection rate and impact of HIV/AIDS, the report recommends in the strongest terms that countries urgently strengthen their education systems, 'which offer a window of hope unlike any other for escaping the grip of HIV/AIDS'.

A review of the South African Education system by Human Rights Watch found that South Africa's education policy does not guarantee the right of children affected by HIV/AIDS. The current policy framework is inadequate as children affected by HIV/AIDS are shown to be less able to enjoy their right to education as a result of their unique disadvantages.


The HIV & AIDS AND STI Strategic Plan for South Africa, 2007-2011 recognises the right to education as an essential aspect of an effective prevention and treatment strategy.

The National Strategic Plan (NSP) recognises the link between access to education and prevention of further infections. The NSP therefore requires the development of education policies and programmes to address the systemic issues of discrimination and cost barriers which serve to exclude children from education (unlike earlier drafts of the NSP predating the ACCESS submission and advocacy).

More specifically, the NSP calls for the 'equitable provision of basic social services such as ... education' as a key intervention to reduce vulnerability to HIV infection and the impact of AIDs. It also calls for the implementation of 'service delivery guidelines defining core services at local level for OVC [including] exemption from school fees... as a means of mitigating the impact of HIV'.

The SAHRC came to the conclusion that the lived daily reality at school for many children in South Africa, particularly those in rural





and township schools, is incongruous with the legislation and the policies of the Department of Education. Those children who are most disadvantaged in enjoying the right to basic education lack the means and the social power to speak out and claim their rights.

Many of the recommendations point to the need for amendments in the legislative and regulatory framework; the need for further resources; more participation by role-players in schools, particularly communities; and the need for consultation between role-players, further support at a district level, and the establishment of adequate monitoring systems.

ACCESS's education project aims to take forward these recommendations. In particular, we seek to address barriers relating to costs and discrimination, especially for those made vulnerable by HIV/AIDS. We aim to do this through a multi-strategy campaign to be conducted through the agency of ACCESS's members and partners, and we wish to bring about changes to the legislative framework, the education budget, and, inter alia, to the level of knowledge and participation by communities, organisations and caregivers in relevant education-based participatory and regulatory procedures.

#### **Our objectives are:**

- ✚ To make schooling more accessible to all children, especially those living in poverty and who are made more vulnerable by HIV/AIDS, through improved policies, implementation, knowledge and enforcement of rights, monitoring and accountability in relation to cost and discrimination barriers; and
- ✚ to improve community participation in school governance, the implementation of policies relating to cost- and barrier-related issues, and the accountability of school governing structures.

### **PROGRESS WE HAVE MADE**

**Our focus has been on the barriers presented by school fees, school uniforms and discriminatory policies and practices.**

#### **Addressing the school-fee cost barrier to the right to education**

We have been encouraged by the policy initiatives taken by the Department of Education over the last few years in response to the school-fee barrier, which has prevented many poor children from attending school.

Specifically, we welcomed the revision of the exemption processes, the strengthening of the rights of the exempted learner and parent, and the introduction of no-fee schools in quintiles 1 and 2 by way of the Amended National Norms and Standards for School Funding (2006) ('the ANNSF') and the Exemption of Parents from the Payment of School Fees Regulations (2006) ('the Regulations').

For the first time ever, our education policy framework harbours the potential to guarantee the right to an education for many more poor children in South Africa. However, we are concerned that this potential is not being realised to its fullest extent.

Over the last two years ACCESS has run an education hotline, a paralegal service to assist our members and their constituent communities with problems that are experienced at school. The line has been feverishly busy – in itself an indication that many poor children continue to face difficulties in accessing their right to an education.

We have heard of school reports being withheld because of non-payment of fees, of children refused admission because parents were unable to cover school costs, of children denied the right to share in extra-mural activities.

We have heard of poor parents being sued and having their meagre property attached without due consideration of the pre-litigation obligations incumbent on schools.

And we have heard of schools simply not implementing the exemption policy, of governing bodies rewriting the law to exclude automatic exemptions.

We have heard of children facing discrimination because of their poverty.

All the matters reported to ACCESS are pursued to conclusion. Our first port of call is always the school in question. The response from the schools has been uniform – they are forced into strong-arm tactics because they simply do not have enough money to keep their schools afloat, let alone offer a quality education, in the absence of school fees and/or in the absence of timely and reliable receipt of sufficient funds in lieu of fees.

ACCESS was concerned by the apparent emerging pattern of abuse of the rights contained in the



ANSSSF and the Regulations aimed specifically at ensuring that poverty does not pose a barrier to education.

In an attempt to understand the extent of the inconsistent application of the new policies, and to better grasp why some schools were acting in a manner at odds with their primary custodial role of ensuring the realisation of the right to education for all children, we undertook an extensive review of the implementation of the 2006 ANNSF and the 2006 Regulations, entitled 'A study on the implementation and impact of the No-Fee and Exemption policies'.

**Our key findings were:**

- ✱ No-fee schools are in the main better off financially, but administration and communication is inadequate to support the proper implementation of the no-fee policy;
- ✱ the policies have worsened the situation for many fee-paying schools housing poor children, with many facing imminent bankruptcy because of a lack of funding to support the exemption policy; and
- ✱ the failure to fund the exemption policy has resulted in a deliberate failure by many schools to implement the exemption policy, which has led to the responsibility for funding being placed on the shoulders of those most powerless to fulfil it – the parents and caregivers of the learners.

**Some of our key recommendations were:**

- ✱ Fund the exemption policy at a minimum level per exempt learner which is equivalent to the revised adequacy benchmark;
- ✱ introduce better provincial financial planning and targeting to ensure adequate learner allocations at all schools;
- ✱ revise the adequacy benchmark upwards; and
- ✱ introduce a sound procedure for the re-ranking of deserving schools which would permit no-fee status.

Our findings and recommendations were shared with the Minister of Education, the Director General, the Director of Finance and a range of other stakeholders. They also received preliminary media coverage in the *Sunday Times*, *The Argus* and *The Citizen*.

The Minister of Education reviewed and replied to the report. The reply is encouraging in that funding of the exemption policy is on the cards, as well as a number of other steps. However, the response was not adequate in terms of detail and direction, and the focus in the next phase of this campaign will be on promoting improved funding, implementation and awareness of the pro-poor school fee policies.


**Addressing the school-uniform cost barrier**

In previous years, ACCESS participated in the commentary procedures which resulted in the development of the official 'School uniform guidelines'. After the introduction of these guidelines, we conducted a rapid review amongst a selection of schools to review the implementation of the guidelines, and we made the national and provincial departments of education aware of the various shortcomings which emerged in our study.

Subsequently, we were invited to make presentation of our findings and recommendations to a meeting of all heads of provincial departments, to the Northern Cape and Mpumalanga departments of education, as well as to the Minister of Education and a number of her branch heads.

In addition, we received acknowledgement of receipt of the report and a response to our recommendations from the KZN MEC for education, who advised inter alia that the current budget does not allow for a school uniform subsidy; that the recommendations regarding the need for a multi-language communications policy regarding the guidelines and other matters was welcome and would be acted on; that the need for





collaboration across departments was welcomed as an essential recommendation; and that she further welcomed the recommendation calling for better complaints and grievance procedures.

The Minister in turn was favourably disposed towards the recommended school uniform subsidy and the request that the guidelines be strengthened in legal status so as to become enforceable, as opposed to being mere guidelines. She undertook to initiate steps towards realising these recommendations.

Advocacy will continue around these recommendations for the duration for the project.

#### **Addressing discrimination against children affected by HIV and AIDS**

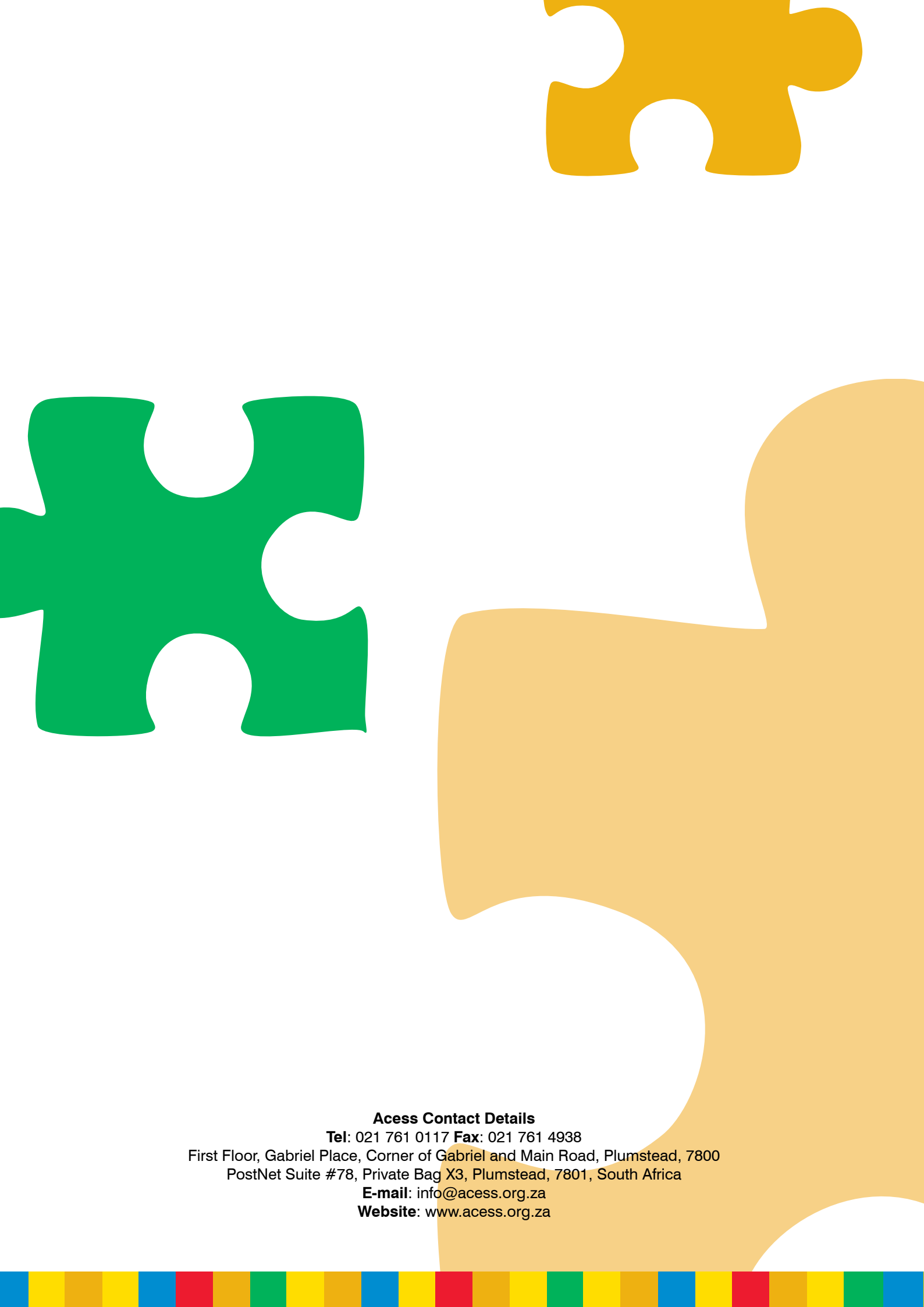
ACCESS has conducted an audit of all education policies and programmes that contribute to, or which disallow, discriminatory practices in relation to children affected by HIV/AIDS. The objective of the audit was to assess the entire collection of policies and on that basis develop recommendations for implementation by the Department so that they can be as effective as possible.

As in the case of the uniform and fees policy, our audit revealed that while there are a significant number of progressive policies, they are not implemented, enforced or monitored with sufficient rigour by the Department of Education, the schools, school governing bodies, and parents and learners. In the next phase of this campaign, we will focus on promoting improved implementation and awareness of the relevant policies.



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