**Western Cape Street Children’s Forum**

ANNUAL GENERAL MEETING MINUTES

22nd September 2021

Zoom Meeting

10:00-12H00

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**Present**: Christina Nomdo(Childrens Commisioner of the Western Cape) Rofhiwa Ntlantsana (Investigations and Advice), Tessa Gardner (Hands and Feet), Hilda O’ Callaghan (Protective Behaviours SA), Amy Wright (Hands and Feet), Nikita Adams (The Advance Edukos Foundation), Phumeza Jack (Kin Culture), Lorraine Karelse (VCC), Bettie Niewoudt (Stellcare), Grace Nkomo (Connect Network), Jonathan Gelderbloem (YFC Kidstop), Cindee de Bruyns (UCT), Wendy Bosse (Olympians), Watson Moyana (Adonis Musati Project), Nokonwaba Mdlanti (Masithembele DIC), Brenda Wall (Masizame), Theresa Massaglia (Ignisive), Martin Gumpo (St Annes Home), Maria Sikaundi , Zia Abrahams (Advance Edukos), Nena van Lierop (Hands and Feet), Sonika Badenhorst (YFC Kidstop), Tessia Nolan, Pat Eddy (CCID), Herman Smit (CAP), Janice King (WCSCF), Rushni Collins (WCSCF), Jenny Claasen (WCSCF)

**Apologies**: Chris de Beyer (Quality Life Montessori), Stacey Doorly-Jones (STAND), Isaac Rambuli (Cihld Welfare Mossell Bay), Lee-Anne Jones (Kin Culture), Anna Els (Kalk Bay St James SRA), Eddie Hendricks (Reconnect Youth Development Centre), Bijou Bakole (El Theos), Elizabeth Horne (KRAC)

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1. **Welcome, apologies:** Wilma welcomed all to the WCSCF AGM. Rushni read out all the apologies submitted. Jenny encouraged all to switch off their audio and camera in order to minimize any data usage and asked all attendees to leave their details in the chat (for attendance register).
2. **Adoption of the Agenda.** Proposed: Bettie Niewoudt. (Correction of the spelling mistake on Agenda: “Audited”). Seconded: 2nd: Herman Smit
3. **Adoption of last AGM Minutes & All Regions Minutes.** Rushni read an extract from the previous Minutes. Proposed: Wendy Bosse. Seconded: Bettie Niewoudt
4. **Chairperson’s Report: Wilma Piek.** WCSCF has had a proactive and a preventative voice in the communities through the DIC’s. The Covid situation created a lot of opportunities for advocating. We were happy to appoint two new staff members: Rushni Collins, as Forum Coordiantor and Supervisor, and Jennifer Claasen, as Coordinators Assistant. Janice will continue to Supervise the DIC Social Workers and will be joined in time by Rushni. Wilma thanked the previous WCSCF employees Coleen Brookes-Gain and Glenda Kayster for their contribtions to the Forum. As expected, there are still a number of advocacy issues we as a Forum continue to address and this will be ongoing. Wilma thanked the WCSCF Board for their commitment and assistance in governing the organisation properly. She also thanked the WCSCF Members and Forum Affiliates and Participants and motivated them to attend the different local sub-forum meetings. Finally, she thanked Janice King, who as Director/Supervisor/Forum Coordinator, at times did the work of three peoples – your dedication is appreciated.
5. **Treasurer’s Report and adoption of Audited Financial Statements: Herman Smit** (standing in for Stacey Doorly-Jones, who made an apology). The Report has been tabled, so he will just give few highlights from the Report. WCSCF was able to waiver Membership fees during Covid. However, some members still paid, which was appreciated. The Forum was awarded a Sanlam/Connect Grant which was distributed to organisations to support vulnerable families. The Forum kept 10 percent of this towards its funding. Two new staff members were appointed when TPA funding came in. The WCSCF purchased a vehicle in order to cut costs on travelling expenses, as more travelling is being done now.

WCSCF Finances have been audited as clean, viewed by board and will be available to all on the WCSCF Website. We sit with a surplus of over eighteen thousand Rand. We were able to make a saving of money due to less travelling Covid and with Janice working alone for a while. The Board is happy with the Forum finances. Herman thanked DSD, the Members and all the Donors for their kindness and support.

**Adoption of Audited Financial Statements.** Proposed: Bettie Niewoudt (with Chairperson and Treasurer to sign off correction) and seconded by Jonathan Gelderbloem (YFC Kidstop). Wilma has signed them, but Stacey still needs to sign the Annual Financial Statements before Auditors will sign off on them. Once signed, the WCSCF Annual Report and Annual Financial Statements will be sent via our Newsletter to all Members and Attendees and placed on our WCSCF Website.

**Proposal & Adoption of Auditors for next year**

Our previous Auditors, AudProp, had to stop serving NGO’s during Covid, so MFS Auditors was recommended and appointed to do our Audit this year. For next year, we propose to reappoint MFS Auditors. Proposed: Cindee de Bruyns. Seconded: Wilma Piek.

1. **Directors Report: Janice King**

Janice commended those in the Sector for their resilience, service, generosity and time given to the vulnerable, especially children. Organisational Budgets remained the same as usual (or even less) but the needs in the communities increased significantly and the community based organisations had to provide food and services not only DIC children but whole struggling families as well.

As a network, our Forums and services were able to be mostly online, allowing us to continue with our work through Lockdown. We did however, visit organisations in person as much as possible. (Organisations can let us know if they would like us to visit them.) Online Forum meetings has also allowed participants to join from all over the province, which is wonderful!

Supervision has also gone on throughtout lockdown, online, and with this, we now only visit the Eden Karoo quarterly, thereby saving Forum budget. Supervision and mentoring gives the opportunity to go much deeper into organisations and learn even more about the issues and challenges facing the sector, and allows us to help Practitioners make connections to find solutions. Now we have the old synergy of connecting with role-players, but also the depth of understanding the child protection organizations. We are experienced some movement with social worker leaving and coming at DIC, which means we have to start from scratch each time, but this cannot be avoided.

We have two new staff members from April, Rushni Collins and Jennifer Claasen, which has been a welcome growth for us. Rushni has focused on the Forums so far with Janice focusing on supervision but in time they will both do some of each.

We have enjoyed building deeper relationships, connections and understanding of other Government Departments. One example is getting Practitioners ‘in the know’ about the Dept of Educations SIAS (screening, identifying, assessing and supporting) protocol which exists to assist children with barriers to learning. We are hugely satisfied to be improving this inter-sectoral connection in our efforts to reduce school drop-out and facilitate improved learner placements of those who have dropped out. Improving Practitioners knowledge of School Law around *Expulsions, Suspension and Disciplinary Hearings* also allows Social Workers to better advocate on behalf of vulnerable children who the system too easily rejects. The other strengthened connection this year was with the FCS SAPS Unit, assisting with child sexual abuse crimes, supported by the recent National DSD training for DIC Social Workers of the *Therapeutic Programme for Children and Families affected by Sexual Abuse*. The implementation of Health’s 1st 1000 Days Programmes was diminished by the COVID focus, but we hope this can grow again into the future.

DSD as our main Funder is appreciated, as is our relationship with the Provincial Children and Families Team. Thank you!

1. **Coordinator’s Report:**

We have continued to facilitated the Local Sub-Forums to promote collaborative partnerships and inter-sectoral cooperation in the care and protection of vulnerable children. These Sub-Forums, which meet monthly or every 2nd month, include:

* CT CBD, Northern Suburbs, CNOYO(Youth), Hout Bay, Kalksteenfontein/Camps Bay, Brakenfell/Kraaifontein and Mitchells’s Plain.

Invited anyone who would like to start a Forum in their area to contact Rushni. All are encouraged to the follow the WCSCF on our new Instagram page: Wcscf7

1. **Executive Committee: Nominations & Elections**

List of current Board Members was shared. All are willing to re-stand, except for Stacey. Wilma has been on the Board since 2015, so she informed us that this will be her last year. Member organisations are encouraged to consider who to nominate onto the Board in August next year from their own organization. The Board generally meets about once a quarter, and the task is not an onerous one.

**Nominations.** Only one received (no other nominations from the floor): Theresa Massaglia from Community Who Cares NGO, Camps Bay and who participates in the Kalksteenfontein/Camps Bay Sub-Forum. Proposed by Herman Smit and seconded by Cindee Bruyns.

**Election: The Meeting a**ccepted the election of eight Board Members. **This was p**roposed: Bettie Niewoudt and seconded by Wendy Bosse. Theresa will replace Stacey on the Board and Wilma welcomed her and thanked her for standing.

1. **Guest Speaker: The Western Cape Commissioner for Children: Christina Nomdo**

Janice introduced and welcomed Christina to the Forum. She gave background about how the WCSCF was involved in the process of lobbying for the office of the Commissioner for Children in the WC.

Christina started by giving us some background of her professional career. She has had thirty years of practical and professional experience, coming mainly from civil society side of things. She has always been involved in advocacy and her last position was as an Executive Director of a Child Protection Agency.

**WC Commissioner for Children Office:**  The Western Cape is the only province one who has this office. The WC has had a constitutional clause for the last 20 years - established as a Chapter 9 institution in the Provincial Constitution in 1998. but only now was it implemented to create this office. The office of the Western Cape Commissioner for Children, Act 2, was created in 2019. The term of office for the Commissioner is 5 years. At present, the office only has four staff members, instead of the preferred eight, due to budget restraints.

**Children’s Rights:**

* As described in UN Convention
* Protection from harm
* Provision of services
* Participation in decisions that affects their lives

**Duty Bearers:**

* Parent/Legal Guardian: responsibility to fulfill children’s right rest only with adults
* Government: Legally bound to create a Child Care Protection System
* Moral duty bearers: rest of society’s adult. Promote and protect children’s rights. Government depends on NGOs to help them create that Child Care Protection System on their behalf.

**Approach:**

* Passion is to centre all around the children - not the voice of children, they have their own voice
* Committed to speak the truth
* Building relationships across a broad-spectrum of Child Rights Roleplayers to influence power

**Child Government Monitors Forum:**

* Focus on Child participation- making sure they have their own voice
* Created above governance structure within her office
* Partnership directly with children to run office with her
* Need to listen, appeal and approach to the children, who are experts in their own lives
* They are working with about fifty children and meet every second week.
* Discuss Children’s rights, governance, social justice and the realities of children.

**Vimbai: (Child Government Monitor)**

* Currently 15 years old and in Grade 11 (joined when she was 14)
* Able to advocate on behalf of children that do not know their rights
* We are gaining the opportunity to learn how the Law works
* Recent visit to Parliament sparked an interest in law within her
* In the CGMF, all children are accepted whether they are South Africans or Foreigners.
* Another Child Government Monitor, that lives in a rural area, had the opportunity to share the challenges he experienced participating in the forum as his access to Wi-Fi is limited and it affects his education.
* They submitted youth development strategies to the African Peering Mechanism. The SA group wrote up 4 position papers on secondary school as a method for Youth empowerment (available on website). That information was incorporated into the submission of the African Peering Mechanism
* Submission to UN committee on The Centre for Child Law, who proposed them as a partner to work with children and youth in United Kingdom.
* Aim to develop tools for practitioners and lawyers to conduct strategic litigation.
* On 6th October they will have bilateral meeting to develop materials together which might continue for one to two years.
* As children are centered, you give them the opportunity to make their voices louder and you develop platforms on all levels with decision makers. Children should be acknowledged as the competent and capable individuals they are.

**Travel to rural communities:**

* She needs to acquaint herself with the living conditions of children in the rural communities, first hand.
* She connects directly with the heads of the four departments and the MEC’s.
* Opportunities are created for the children in rural areas to connect directly with the Commissioner
* She has workshops with parents, children and service providers in the areas she visits
* Direct quotations of kids are recorded and the voice clips and drawings of children are included in her reports.

**A Clip by RX Radio was played that**

**explains the mandate of the CC in a child friendly way.**

**The WCSCF requested the Children’s Commissioner (CC) to comment on the following issues:**

1. **Birth Certificates**
* CC have received many complaints in relation to the DOHA. has asked key advocates in this field from reputed Child Rights Organisations - their experiences confirm the complaints. They are at the stage of litigation with DOHA. There needs to be some type of advocacy, some strategy developed with the DOHA.
* CC does not have the direct Mandate for direct oversight over that Department, but they play a huge role in the lives of children. CC will make an effort to build some relationship of influence with DOHA.
* She asked any present to connect her with someone at DOHA with whom she can start diplomatic relationship with.

*Bettie:*  She has a working relationship with DoHA. One thing that is also needed is a change in the Act to allow a father to register their children. The Commissioner said that she will connect with Bettie to get contact details of a key person at DoHA.

1. **Caseloads of social workers being too high (unlawfully so)**
* One consequence is a high turnover of social workers – due to frustration and burnout.
* Advocacy needs to be continued and from everybody at every level – the Social workers themselves need to escalate the fact of their high caseloads in their departments.
* The goal is to have 55 000 social workers by 2030 in both state and at NGO’s. DSD expressed the following challenges to the CC: budget (cuts), juniorisation of social workers and so the need to create levels of supervision for social workers so that quality of social work can increase.
* CC mentioned that the social assistance act has been amended and she hopes the above amendment will free social worker up from the mundane things that block the system. eg.the process around Foster Care where courts need to be consulted all the time. However, children still need to receive some form of support in the system. This blockage is acknowledged by the HOD of DSD. The system needs to change from being administrative to one that focus more on Prevention and Early Intervention.
* DSD has a legal obligation which they cannot divest themselves from. There is a need for an advocacy conversation and Civil Society needs to push harder. If a Social Worker is not doing their job, they need to be reported, so that there is pressure for DSD to deal with the gaps in the system. They have to supply the alternative framework with the money and manpower that is needed to match the need in communities.

*Wilma: One of the issues, is that Social Worker salaries are higher at DSD and lower at NGO’s. So Ngo’s train their staff, who then leave the NGO to get the higher DSD salary, and the NGO starts all over again. This reduced the resources of the NGO’s even further. It’s an uphill struggle.*

*Also, DSD only pays a contribution towards NGO’s costs, meaning they have the burden of raising funds to supplement the subsidies. In this climate esp, this is very difficult, and NGO’s are at risk of closure. This is unsustainable, but no solution is provided by DSD.*

**c) Permanency Planning**

* CYCC’s: There is a 200-300 child waiting list for placement into an alternative facility in WC. Social Workers can wait up to two years to have a child placed – a child who urgently needs alternative case. CYCC’s complain that Designated Swkers place children and then don’t make permanent arrangements for them, so they stay in the institutions longer than necessary. Everyone is anti- institutionalizing our children. The PEI is part of the strategy to keep children out of the court /CYCC system - a focus on parenting and supporting families. Parents should be held responsible for the care and protection of their children, but they require support. Foster Care and Permanency Plan should be focus for the best interest of the child. But at present it is not. This will empty the CYCC’s and allow for space for those children who do really need it.
* CC says the Forum Members are free to refer any urgent cases regarding the placement of a child to her, and the matter with be forwarded to HOD of DSD on the same day. She acknowledges that this is an interim arrangement only until a systemic solution is in place.
* There are certain things that Commissioners office can do because now there is a platform and institutional meganism to hold government accountable. Rafhiwa, also employed in the Commissioner’s office, will be helping her to understand the real situation of Child Care and Protection System. They are visiting every type of alternative care arrangement eg. Non-secure care, secure care, foster home, cluster family care, etc. They also engage the CYCC children directly about their experiences in the Centres. The focus is on a system analysis (not to evaluate each CYCC).
* The Forum is welcome to give input to add to her understanding.
1. **Child Murders**
* Media tend to sensationalized the child murders, but CC will only respond on a system level and not on a specific case.
1. **DIC Registrations (Chapter 14 of the Children’s Act)**
* WC has only 15 DICs registered (Gauteng as 1200). There are many unofficial organisations doing DIC work – grannies, aunties, grandpas in the communities, feeding, giving educational support, hygiene, etc, but they are unregistered, unmonitored, usually unfunded. The WCSCF have made some of these orgs known to Provincial DSD for 5 years, but these remain unacknowledged or registered. In 2021, Charles Jordan took responsibility to do this, so hopefully registration of these orgs will happen soon, but this is problem.
1. **Questions and Answers for the Commissioner**

The Commissioner’s team has prepared a briefing document which will be shared with the Forum after the meeting. The Commissioner is glad to be starting a relationship with the Forum.

The budget only allows for three staff members, who’s focus is Investigation and Advise.The budget does not yet cover a Monitoring branch. All complaints and enquiries that reach their office are documented, analysed, tabled and presented in the Annual Report. (Janice requested CC to forward the Annual Report to the Forum.) The situational analysis and structural deficiency is tabled in Parliament. The CC will keep on focusing on system improvements at present. Her supre powers are limited, but her greatest strengths are listening to children and speaking truth to power. She wakes up every day to change the world and hopes we can do it together. Rushni put up CC contact details in chat.

As the Commissioner needed to leave to attend another meeting, Janice thanked her for sharing her passion, heart and intentions. She also thanked Rafhiwa and Vimbai for joining and sharing at the WCSCF meeting.

1. **Other matters**

Bettie: We must prioritise what is most important to us and that is the family as a system. Whatever Rights we advocate for in the WC will be to the benefit of all the children in SA.

Janice mentioned that she heard the National DSD has recently changed the system for applying for a Clearance against the CPR, making it a provincial action. Bettie confirmed this saying that they approached Regional about this matter, of the delay and cost for Safety Parents and Foster Parents to get themselves cleared. This then also creates delays and challenges at the Courts, slowing down the Fostercare process. (Everyone on the premises over 18 years must be cleared and sometimes there are 12 adults on a plot.) Regional negotiated with the National and they are currently busy with a trail run of the amendment. Section 125 now allows you access to the Register, but this is only available in the WC for now. One has to provide a Form 30 with every 159 (extension of Foster Care order). This still needs to be discussed with the Department of Justice, SAPS and possibly CC as well. The changes in the Foster Care database are adding to the workload of social workers. The administrative duties and responsibilities cause delays in the services to the children. Janice to contact Bettie for more details to chare with the network. Tessa mentioned the following: Form 29/30 is going to be online to ensure a quick response. They will include a new level where ‘suspicions’ can be raised in the case where there might be a lack of proof. Police Clearance might not be hundred percent accurate as people can get their records cleared.

1. **Closure**

As there is no Member quorum, a supplementary meeting will need to take place within 7 days to ratify decisions taken at this meeting. It was decided that this would take place on zoom at 14h00 on the 27th September. The link will be sent out in the WCSCF weekly newsletter.

Wilma thanked all for a very insightful and productive meeting, stating that we as a Network and as individual organisations are looking forward to partner with the Commissioner in the future, towards an improved system in the best interests of the children. She thanks the WCSCF Staff for arranging AGM meeting.

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