**Western Cape Street Children’s Forum**

**ALL REGIONS MEETING**

Zoom Meeting

**15 February 2023**

**10h00-12h00**

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**PRESENT:**

Chevon Collins-Viljoen( DSD), Andrea Castle (DSD), Alfred De Vries (DSD), Nwabisa Makinana (Masizame DIC), Nolubabalo Tembani (Masizame), Tjarla Norton (Community CookUp), Wilma Piek (VRCID), Tinashe Mhangara (VRCID), Lee-Anca Harris (ACVV Brightlights), Jacques Davids (ACVV Brightlights), Elizabeth Hoskins (ACVV MP), Ruth, Nokwanda (Leliebloem), Rose Tshikalanke (VCC), Bridget (VCC), Amber (VCC), Nokonwaba Mandlanti (Masithembele DIC), Patsy Daniels (Lerato Family Foundation), Rosie Mahala (Baphumelele), Bernalee Gange (The Homestead), Nokwanda Mbekwa (Project Playground), Teresa Grimbeek (Badisa Steinthal), Lusanda Sigxabayi (Ukondla DIC), Jean-Mare (Stellcare), Gershon Witbooi, Alison Veldtsman, Poreshea Isaacs, Marilene Joubert, Zanele, Khanya Kala, Honjiswa Manciya, Janice King (WCSCF), Jenny Claasen (WCSCF)

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The WCSCF All Regions Meetings are a space to all come together to hear about topics that apply to everybody. Those that can help all of us to improve the way we deliver services to children and families – resources that can benefit our beneficiaries. We have arranged workshops on the School Law topic in the past, but realise that this is such a pertinent subject, effecting everyone, that we wanted to repeat it. We cover the areas of Suspensions, Expulsions and Disciplinary Hearings.

The powerpoint we use was developed by Malcolm Venter, from the Governing body Foundation, and we use it with permission. We were not able to secure a speaker from the Education Department on this topic, so Janice decided to share it.

**AGENDA:**

1. Welcome, Apologies & Introductions
2. School Law: Suspensions, Expulsions and Disciplinary Hearings
3. Circular 53
4. SIAS Protocol
5. School Based Support Teams
6. Questions from the Floor

**1. Welcome, Apologies & Introductions.** Janice welcomed all to the All-Regions meeting.

**2. School Law.** Janice presented gave a detailed Power Point Presentation.

**3. Circular 53.** Janice presented gave a detailed Power Point Presentation.

**4. SIAS protocol.** Janice presented gave a detailed Power Point Presentation.

5. **Questions from the Floor:**

***Question: Jean-Mare:*** *Sometimes children get suspended for up till 7 days without a hearing. A principal also guided a chairperson on how to conduct the hearing. One child is suspended without any written notice as principal refuse to give one.*

**Janice:** A suspension without a disciplinary hearing is illegal. DICs are often running programmes with children that are suspended from schools without the required process being followed.

***Question: Jean-Mare:*** *There is one principal phone them every day to fetch children, from their CYCC, that are misbehaving at school.*

**Janice:** Clearly in a situation like this there is more to be discussed, there is a problem. So, the parent and the school need to have a conversation. The school might be at their wits end concerning the child’s behaviour. The parent, child and youth care worker or social worker could get involved when the school are unable to cope with the child and the parties could put their heads together to decide what they are going to do. In some cases, the principal needs to be reported. ***Here are the email address of where to report errant Principals, who will not stick to the law.***

* [***William.Jantjies@westerncape.gov.za***](mailto:William.Jantjies@westerncape.gov.za)
* [***alan.meyer@westerncape.gov.za***](mailto:alan.meyer@westerncape.gov.za)
* ***Gerald Timm- responsible for expulsions at WCED.***

***Question: Tjarla:*** *If a child is found guilty and seen as a treat to either themselves or other children, is there any responsibility on the school to make sure that intervention happens further?*

**Janice:** The whole process of educational discipline is supposed to be rehabilitative. The whole point is to help the child and the other learners in the school. Generally, the sanctions include assistance to the child, like, counselling, therapy, attending group sessions or drug counselling centre. In some cases, the parents are required to attend certain sessions.

*Question: What happens if the whole SGB does not agree on the decision?*

**Janice:** Then they cannot recommend for expulsion. They have to put in writing all the documentation of the disciplinary committee process and then that final document is stating that the SGB has ratified the decision taken by the disciplinary committee. If the whole SGB does not agree, then they have not ratified the decision taken by the disciplinary committee and that last part of the process has not taken place. So, they cannot recommend expulsion and they then have to come up with alternative sanctions.

*Question: What can one do if a Mother does not have the Hospital discharge/birth document anymore?*

**Janice:** The mother could go back to the hospital where she gave birth and get one. Social Workers can go directly to the person in charge and request the discharge form for the child, which the maternity section will print out. No need to stand in a queue.

*Question: In cases where children have been suspended or expelled illegally, does one go back to the schools or directly to the education department?*

**Janice:** If the child is still registered at a school, one need to go back to the school. When the child is no longer registered at the school, one can go to the local district office. Submit all relevant information with dates and email trail if you have one. Only parents can appeal a suspension.

*Question: Maybe the Standing committee on Education should also engage the public on this issue.*

**Janice:** When she is back to doing only the Network again, this is the thing she would like to do as we must engage with the public.

*Question: Can the school principal expel a learner because they don’t have a birth certificate?*

**Janice:** No, they cannot. However, in Grade 12 they might get complicated. One could approach the local district office to help complete an on-line application without an identity number.

**6.School Based Support Teams.** Janice explained the role the SBST play at schools especially with implementing the SIAS Protocol.

Janice thanked all for attending the meeting and it was closed.