DRAFT

NATIONAL POLICY FRAMEWORK FOR FAMILIES

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1. INTRODUCTION

The family is regarded as a potentially powerful agent for political, economic, cultural and social changes and is a potent vehicle for the care and development of children.

The United Nations General Assembly in its resolution 44/82 of 8 December 1989, proclaimed 1994 as the International Year of the Family (IYF), with the aim of creating amongst Governments, policy-makers and the public a greater awareness of the family as the fundamental unit of society and of promoting activities in support of families. South Africa also commemorated this Year. The Year was launched at the Malta World NGO Forum. The Forum had as its theme "Promoting Families for the Well-being of Individuals and Societies" and it provided a "realistic and global approach to the family as the "basic unit of society". South Africa signed the Malta Statement of the World NGO Forum.

Amongst the specific concerns and focal points of the Forum were statements about the role of families in providing support for children. The following guiding principles on the family serves as a point of departure for developing inter alia policies and service rendering.

The statements are:

- The family must be the main agent in protecting the human rights of its members, especially the vulnerable. It must answer the needs and promote the potential of its individuals as physical, social, emotional, intellectual and spiritual beings.
- On their own, families can no longer provide all that which children need to grow up well. It requires an interlocking system in which families and accompanying formal and informal networks and services work together. The challenge in our time is to arrive at a new relationship between family and the State. The family must in a new

way, become the protagonist of family policy, it must be ensured that laws and State regulations not only do not offend, but also enhance the role of the family.

- There must be a new awareness of family concerns and needs, even while recognizing that families are in transition and that new and different needs must be addressed.
- Family policies and family interventions must be based on a careful and verified analysis of family realities and on a comprehensive view of family life – not on untested, implicit assumptions.
- Training of NGO personnel working with families in practical methods of life-coping skills must aim at encouraging families to build on their own resources and to overcome difficulties by relating to family networks.
- Taking care of the best interests of the child, as set out in the Convention on the Rights of the Child (CRC), must not be seen as a threat to the family, but as a challenge to society.

The rebuilding of family and community relations is one of the priorities of the Department of Social Development, to address the 5 year strategic plan of the Department. The ten-point plan of the Minister for Social Development indicates the following as the highest priority:

Rebuilding of family, community and social relations.

Restoration of ethics of care and human development in all welfare programmes. This requires an urgent rebuilding of family, community and social relations in order to promote social integration.

As one of the critical success factors to achieve this, it has been stipulated that a nation-wide programme for the rebuilding of family and community relations be developed.

The objective for the year 2000/01 is to implement models of community-based care and support for families, with special emphasis on protecting the rights of children and of persons within families.

2. DEFINITIONS

Child: Means any person under the age of 18 years.

Early Childhood Development:

Early Childhood Development (ECD) is an umbrella term which applies to the processes by which children, from birth to the age of nine years, grow and develop, physically, mentally, emotionally morally and socially.

Vulnerable child: A child exposed to circumstances or who displays behaviour which is detrimental to his or her development.

Family: Individuals who either by contract and/or agreement by descent and/or adoption have psychological/emotional ties with each other and function as a unit in a social and/or economic system not necessarily living together intimately.

Vulnerable family: Families without support systems which do not function due to various challenges, is subjected to the least empowering circumstances and expose their family members to circumstances that are detrimental to their development.

Family preservation:

Family preservation is a **strategy** that is based on the belief that children and young people need a family in which to develop, that promotes the **perspectiv**e that the best way of achieving permanency in the lives of children is to allow them to be with their families and to work with the family to try to prevent the placement of children outside of family care as well as the **philosophy** which discourages the removal of children from their families.

Collaborative Model of Family Preservation: This indigenised model concentrates on the collective actions of a network of service providers that strengthens systems beyond the nuclear family, for instance the extended family system and the community that supports families in ensuring the well-being of children.

Family group conferencing: Is a decision-making process that brings important role players, in the lives of the child and family, together when circumstances necessitate a plan to be formulated for the child and family in order to preserve the family.

Young person: Social Welfare , 1997 defines a young person as a women or man aged between 16 and 30 years. The Child Care Act, 1983 defines a child as a male or female aged between 0 and 18 years. The National Youth Commission Act, 1996 defines the age for young persons as 14 to 35 years.

Youth mentor: Is a positive role-model for young people who engages with young people to support and assist them in developing plans to address their identified needs.

Extended family: Is a multi-generational family that shares the same household.

Older persons: Means a person, who in the case of a male is 65 years of age or olde,r and in the case of a female is 60 years of age or older.

Community: Is a number of geographically demarcated households which share common interests and have common needs.

Community conferencing: Is a strategy that is designed to bring forth community efforts to address the needs of children, young people and families.

Family reunification: Are services aimed at empowering and supporting parents and extended families in order to systematically re-unify young people and children, in alternative care, with their families and their communities

Offices of the Family Advocate:

The Office of the Family Advocate has been instituted to serve as a support system to the High Court with the mission to: protect the welfare and interests of minor and dependent children irrespective of race, colour or creed in divorce actions or actions having the same implications as a divorce action as well as the variation of such order in so far as the welfare

and interests of the children are concerned. The Office of the Family Advocate can be regarded as one of the first Human Rights institutions in the Public Service

Family Advocate: The Family Advocate appears on behalf of children in these matters to safeguard the interests of children as set out in Section 28 of the Constitution.

Family Counsellor: The term "family counsellor" as envisaged in the Mediation in Certain Divorce Matters Act, has no therapeutic connection. The family counsellor is actually the "advisor" to the family advocate in all matters relating to the interests of the minor children involved and act as expert witness to reflect the views and best interests of children in Court.

Family Court Centre: A Family Court Centre houses courts which hear matters concerning divorce, maintenance and family violence, as well as matters brought in terms of the Child Care Act. The services of the Family Advocate are available to assist these Centres and the Court staff is trained to assist members of the public who do not have legal representation.

Mediation: Is an alternate dispute settlement procedure whereby the parties, in the presence of a mediator, with the participation of the children, taking into account their age and development level, can reach a mutually acceptable and workable agreement in the dispute regarding family matters, within an atmosphere where conflict is limited to a minimum**.**

3. BACKGROUND

During the previous dispensation, as a result of grave concern over the state of family life in South Africa, an investigation was launched which resulted in the formulation of the National Family Programme (The Programme) for South Africa with the objective to realise the highest quality of marriage and family life for all residents of South Africa. This Programme was approved by Cabinet on 4 November 1987. The task to promote the Programme was assigned to the South African Welfare Council (SAWC) and the Regional Welfare Boards who appointed the Committee for Marriage and Family Life (CMF) to promote and manage the Programme. The CMF refined the Programme in order to market and activate it countrywide as a national plan for family life. The programme was approved by the SAWC on 14 August 1990. One of the directives issued to the CMF was to organise the International Year of the Family in 1994. The CMF utilised the year to promote the national plan for family life.

This initiative, however, was terminated with the formulation of the White Paper for Social Welfare.

4. SITUATION ANALYSIS

As stated by L Erasmus, 1996, in her thesis "Verbandlegging tussen die Nasionale Plan vir Gesinslewe en Staatsbefondsde programme vir maatskaplike welsynsorganisasies", 41 different family types have been identified. Families defined in the broader sense include members of the extended family. Family functioning can be fully understood only from a family life-cycle perspective, which takes into account the process of interaction that occurs between children, families and their social support networks. The word "family" automatically refers to children and the conditions under which they grow up. The family is

the most important unit which can provide children and the youth with a life of well-being, however, research data shows that the conditions under which children and young people live do not necessarily guarantee a life of well-being.

The following are the realities:

- More and more families are increasingly living in poverty and the communities are drained of resources to provide support to families. Children, youth and the elderly are especially affected by these conditions.
- A major contributor to family problems and breakdown in family functioning, is the increasing economic stress facing households. Those living below the poverty line as well as poor single parent families, which are predominantly female-headed are the worst affected.
- Family life has become increasingly diverse and complex, leaving families vulnerable to different forms of stressors. Families who have to enhance family members with special needs need additional support.
- There is no adequate system to protect children against abuse and young people against domestic and community abuse. Domestic violence has become an every day phenomenon and many families are affected.
- Interventions which tend to disrupt family life, such as the removal of children from their families, are more readily available than those that are aimed at prevention and early intervention, which prevent serious problems from threatening families. It is estimated that 14% of the children in state institutions are below the age of 6 years.
- Families are increasingly being isolated and as a result families lack the support of close networks. The value of *Ubuntu,* which is the cornerstone of African life, is rapidly disintegrating with individuals taking care of their own.
- There is a tremendous strain on the service delivery system, especially the inadequacy in resources to deal with the complex problems facing children and their families as well as a lack of permanency planning.
- Investigations into reports of child abuse and maltreatment are often hastily and inadequately conducted and the system of investigation is fragmented, leading to the further suffering of children.
- The HIV/AIDS epidemic leads to the disintegration of family life and places a huge financial burden on the already impoverished family and society to support family members.
- The majority of South African families and children live in unhealthy, unsafe, disadvantaged communities. These conditions in communities coupled with extreme poverty leave the family without support networks.
- Families can be destructive too, leaving their family members without protection mechanisms and resilience against the onslaughts of life. During 1996 a total of 146 732 marriages were officially recorded in the Republic of South Africa with a total of 32 775 divorce cases in the same year. The effects of change in the nature and structure of families is well known as well as the significant impact on family members.

5. CURRENT POLICY FRAMEWORK

5.1 NATIONAL

5.1.1 WHITE PAPER FOR SOCIAL WELFARE, 1997

In the White Paper it is stated that the Government is committed to give the highest priority to the promotion of family life and to the survival, protection and development of all South African children.

The aim of family and child welfare services is to preserve and strengthen families so that they can provide a suitable environment for the physical, emotional and social development of all their members. Family-based policies should reflect the changing nature and structure of families. The need to transform the welfare services to adequately address fragmented child and family welfare services was highlighted. Policy guidelines have been spelt out, but need to be converted into programmes. The proposed direction of the White Paper is in line with the approach advocated by the United Nations World Summit for Social Development, held on 6 to 12 March 1995.

The following guidelines for Programmes for Families have been identified in the White Paper.

1. The rights of families and children will be protected.
2. Families in need should receive comprehensive protection and support form the State and organisations within civil society. Family support programmes should address the fundamental causes of family disintegration.
3. Poor families and children should be given first priority in the allocation of resources, the transfer of information and skills and the determination of priorities for socio-economic development.
4. Respect for human dignity and family responsibility and autonomy should be upheld. Social welfare personnel should foster self-reliance and promote the personal growth and social competence of families and children through capacity-building and empowerment programmes. Opportunities should be created for the development of families to have equal access to resources and the appropriate representation of children and families in decision-making structures.
5. A National Programme of Action for South African Families, Children and Youth (The Programme of Action) will be developed in partnership with all stakeholders, which will provide the necessary framework for comprehensive planning and for the implementation of policies, legislation and social programmes. The Programme of Action should also provide a framework within which to monitor the profile of families, children and young people in terms of their survival, development and protection.
6. Efforts should be made to ensure that families and children have equal access to appropriate social welfare services that will promote social competence in the different stages of the life-cycle. To adequately address fragmented child and family welfare services, both the social welfare sector and the judicial sector should be involved in the transformation of these services.
7. Interventions should concentrate on prevention in the first place, by enhancing family functioning, following protection, and lastly on the provision of statutory services.
8. To deal with the multi-dimensional problems of families and children an inclusive, comprehensive, integrated and developmental approach to social welfare service provision is needed. A family life-cycles perspective should be adopted.
9. Welfare policies and programmes should make provision for the needs of families and children according to the different stages of family development.
10. Intervention should strive towards providing for the meaningful participation of all family members in activities aimed at promoting their well-being. Any activities involving children should be appropriate to their age and development.

As one of the priority programmes in promoting family life the following was highlighted:

- To develop a network of trained community members to assist troubled families, to enhance networking between families and within the community and to support each other and promote family life. Capacity building programmes will be provided for the various helping professions and for religious and community leaders to enable them to deal more effectively with families in need.

5.1.2 Interim Policy Recommendations on the Transformation of the Child and Youth Care System

These policy recommendations are designed to enable the implementation of an integrated child and youth care system based on a developmental and ecological perspective.

It was indicated that such a transformed system would provide for:

- Prevention and early intervention to guard against children entering system unnecessarily.
- Participation by the young person, family and community.
- Reclaiming the spirit of Ubuntu – the principle of caring for each other's well-being within an attitude of mutual support.
- The effective reunification, reintegration and after care in order to return children and young people to communities as soon as this becomes appropriate.

The key to the transformation of child and youth care was to move away from a medical model which focuses on weaknesses, categorising, labelling, helping and caring, towards a developmental and ecological perspective which focuses on reframing problems as strengths, on competency building and residential environments which empower children, families and communities.

Recognition was given to the fact that each person is to be understood and viewed, within the context of and connected to, the family and community.

The framework for the Child and Youth Care system can be described as follows:

The framework refers to 3 levels of intervention which are increasingly intrusive and potentially harmful to the development of the child and/or family. The framework thus views levels 1 and 2 as the highest priority in terms of resources and in terms of referral into the system and is described as follows:

Level 1: Prevention services and programmes

The first level of intervention ensures that identified communities, families and groups of children, receive services which strengthen existing capacity and develop new capacities that will promote resilience and increase their ability to benefit from developmental opportunities.

Level 2: Early intervention services and programmes

Early intervention within this framework is a deliberate assessment by a multi-disciplinary team within the child's home environment to ascertain whether the child could remain in his or her family and community's care. Should it be needed, additional support through prevention programmes should be provided. Early intervention programmes may also serve as reunification, re-integration and aftercare services for the children disengaging from the child care system.

Wherever a child (and family) could be effectively served, levels 1 and 2 should be the first choice of intervention. The framework requires that intervention, at level 3 is only considered if, on the basis of an effective assessment, this is judged as being the most appropriate service to the child (and family). The statutory process should be evaluated to be accommodated in level 2 and/ or level 3 and therefore does not have a level of its own. This is a further development of previous documentation describing the third level as a level by itself.

Level 3 Continuum of Developmental Service

The continuum of the developmental services refers to a range of differentiated services to children, young people and their families, ensuring access to the least restrictive and most empowering environment and/or programme/s appropriate to their individual developmental and therapeutic needs.

5.1.3 NATIONAL PROGRAMME OF ACTION FOR CHILDREN (NPA)

The NPA is a holistic programme – or plan of action – that works to promote and protect the rights of children in South Africa. The NPA is coordinated by the Office on the Status of the Child at the Office of the Presidency and all sectors of society- including various government departments, NGOs, and the public at large – all being involved in the process and the implementation thereof.

5.2 INTERNATIONAL

5.2.1 CONVENTION ON THE RIGHTS OF THE CHILD, 1989

5.2.2.1 The Convention on the Rights of the Child

The Convention on the Rights of the Child, as adopted by the General Assembly of the United Nations on 20 November 1989, explicitly describes the following identified issues which should be addressed in comprehensive child care policy and legislation. Articles 2 (non discrimination) Article 3, (the best interest of the child), Article 6 (the survival and development) and Article 12 (participation) is described as the 4 key principles and guide the development of minimum standards. :

Article 3: Best interests of the child.

All actions concerning the child shall take full account of his or her best interests. The State shall provide the child with adequate care when parents, or others charged with that responsibility, fail to do so.

Article 5: Parental guidance and the child's evolving capacities.

The State must respect the rights and responsibilities of parents and the extended family to provide guidance to the child which is appropriate to his or her evolving capacities.

Article 9: Separation from parents

The child has a right to live with his or her parents unless this is deemed to be incompatible with the child's best interests. The child also has the right to maintain contact with both parents if separated from one or both.

Article 10: Family Reunification

Children and their parents have the right to leave any country and to enter their own for purposes of reunion or the maintenance or the child-parent relationship.

Article 18: Parental responsibilities.

Parents have joint primary responsibility for raising the child, and the State shall support them in this. The State shall provide appropriate assistance to parents in child-raising.

Article 19: Protection from abuse and neglect

The State shall protect the child from all against of maltreatment by parents or others responsible for the care or the child and establish appropriate social programmes for the prevention of abuse and the treatment of victims.

Article 20: Protection of a child without family

The State is obliged to provide special protection to a child deprived of a family environment and to ensure that appropriate alternative family care or institutional placement is available in such a case. Efforts to meet these obligations shall pay due regard to the child's cultural background.

Article 27: Standard of living.

Every child has the right to a standard of living adequate to his or her physical, mental, spiritual, moral and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The State's duty is to ensure that this responsibility can be fulfilled. The State's responsibility may include material assistance to parents and their children.

5.2.2 AFRICAN CHARTER ON THE RIGHTS AND WELFARE ON THE CHILD, 1990

The African Charter recognises the fact that the child occupies a unique and privileged position in the African society and that for the full harmonious development of his/her personality, the child should grow up in a family environment in an atmosphere of happiness, love and understanding. The rights stipulated in the African Charter are consistent with those in the Convention on the Rights of the Child.

5.2.3 MALTA STATEMENT OF THE NGO FORUM, 1994

South Africa signed the Malta Statement on the World NGO Forum, launching the International Year of the Family, in 1994. The Guiding Principles on the Family is used as a point of departure for inter alia developing policies and service rendering.

5.3 CURRENT LEGISLATIVE FRAMEWORK

5.3.1 CONSTITUTION OF THE REPUBLIC ON SOUTH AFRICA, 1996

According to the Bill of Rights, included in the Constitution of the Republic of South Africa, the following should be addressed in policy and legislation.

Children Section 28.

1) Every child has the right -

- to family care or parental care, or to appropriate alternative care when removed from the family environment.

5.3.2 CHILD CARE ACT NO 74 OF 1983

5.3.3 AGED PERSONS' ACT NO 81, 1967

5.3.4 PREVENTION AND TREATMENT OF DRUG DEPENDENCY ACT, NO 20, 1992

5.3.5 SOCIAL ASSISTANCE ACT, NO 59 OF 1992

5.3.6 MEDIATION IN CERTAIN DIVORCE MATTERS ACT, NO 24 OF 1987

5.3.7 CRIMINAL PROCEDURE ACT, NO51 OF 1977

5.3.8 MENTAL HEALTH ACT NO 18 OF 1973

5.3.9 CHILDRENS STATUS ACT NO 82 OF 1087

5.3.10 DOMESTIC VIOLENCE ACT NO 115, 1998

5.3.11 MAINTENANCE ACT

5.3.12 SEXUAL OFFENCES ACT

5.3.13 MARRIAGE ACT NO 25 OF 1961

5.3.14 DIVORCE ACT NO 70 OF 1979

5.3.15 RECIPROCAL ENFORCEMENT OF MAINTENNACE ORDERS ACT NO 80 OF 1963

5.3.16 BASIC CONDITIONS OF EMPLOYMENT ACT NO 75 OF 1997

5.3 17 ADOPTION MATTERS ACT, NO 56, 1998

5.3 18 NON PROFIT ORGANISATION ACT, NO 71, 1997

5.3.19 SOUTH AFRICAN SCHOOLS ACT

5.3.20 JUSTICE LAWS RATIONALISATION ACT, NO 18 OF 1996

6. PRINCIPLES THAT ENHANCE FAMILY LIFE

6.1 Diversity

Families are diverse and this should be respected.

7. POLICY POINTS OF DEPARTURE FOR FAMILIES

7.1 GENERAL

1. Families should be independent and have strengths which can be utilised when facing various challenges.
2. The preservation of families should enhance their inherent strengths and resourcefulness.
3. Families in transition need special protection and services.
4. The family is the basic unit of society and family members should be nurtured to ensure their survival, growth, development and protection.

7.2 RIGHTS AND RESPONSIBILITIES

1. The fundamental rights of families should be protected.
2. Children have the right to remain within their own families for love support, growth and development.
3. The right of the family to protective intervention when the family cannot, or will not, meet their basic needs or protect family members from harm or unsafe situations.
4. The family should have the right to protection against violence, abuse, exploitation, poverty, unemployment, substance abuse, HIV/AIDS and teenage pregnancies.
5. Families should accept responsibility for supporting the growth, development and moral guidance of the members of the family.
6. Families have the responsibility to nurture family members and help them grow emotionally.
7. The family has the responsibility to maintain contact with family members if separated.
8. Parents and the community should take joint responsibility for the well-being of families.

7.3 SERVICES

1. To preserve, strengthen and support families.
2. To rebuild families.
3. Awareness raising campaigns on the diversity of families.
4. Government, the private sector, non-governmental organisations, community-based organisations, voluntary welfare organisations, religious institutions, trade unions and individual initiatives should jointly have the responsibility to enhance family life.
5. The State should provide families with the support and resources to take responsibility for their children's developmental years. The State only intervenes when a child experiences, within the family, a harmful or unsafe situation that places the child at risk.
6. Families with family members who have special needs need additional support to function optimally.
7. All services should be family and person-centred.
8. All sectors should coordinate their services, approaches and procedures and promote family preservation values.
9. Services should strengthen families and communities.
10. One-stop 24-hour community-based services should be available.
11. Services should place emphasis on empowerment, capacity building, family and community involvement and responsibility.
12. Families should be protected on all levels of service delivery.
13. A broad range of services should be available and accessible to families in different circumstances.
14. Service delivery should have an inter-sectoral and inter-disciplinary approach.
15. Service providers, at different levels dealing with families, have to be qualified trained and competent.
16. Service providers to families receive caring, nurturing, support and debriefing to enhance their ability to render effective services.
17. Provisioning of an adequate social security system.
18. Service should avoid secondary trauma.
19. Monitoring of the media and using the media to promote family life.

7.4 COMMUNITY RESPONSIBILITY

1. The community should support the family and take responsibility for its families.
2. The government, in partnership with the communities, should develop resources to strengthen and support families to take responsibility for their family members.

3. The community has a responsibility for the well-being of families and should remain alert to circumstances in which families may be harmed.
4. Voluntary participation in social and community programmes should be actively encouraged and facilitated.

7.5 DATA AND RESEARCH

1. Establish an approach for national coordination to operate a database and to do ongoing research.

8. DEVELOPMENTAL FRAMEWORK FOR SERVICE DELIVERY TO FAMILIES

8.1 VISION

Children and the youth have become our most treasured assets. They and their families are valued, capable and experience well-being, as well as contributing to a caring and healthy society.

8.2 MISSION

Integrated services that will assist children, young people and families to develop protective or resiliency strengths which will promote positive growth, health, well-being, personal and family success and which will ensure that the family remains the cornerstone of the community and broader society.

8.3 PARADIGM PRINCIPLES FOR SERVICE DELIVERY TO FAMILIES

Several outcome based paradigm principles were identified as described in the Interim Policy Recommendations made by the Inter-Ministerial Committee on Young People at Risk. These principles would address the identified needs of families as well as current procedures in rendering family preservation services to produce a standardised service to the family and its family members.

The following outcome based framework for services and paradigm principles highlights the basis upon which service delivery should be structured.

The Ministry of Social Development is committed to a comprehensive programme of family preservation services and the expansion of these services. All developments in services will observe the following fundamental principles:

8.3.1 Accountability: Everyone who intervenes with a family and its family members being in need of family preservation services, is accountable for the delivery of an appropriate and quality service.

8.3.2 Empowerment: The resourcefulness of each family and its family members is promoted by providing opportunities to use and build each family's own support networks and to act on these families' own choices and sense of responsibility.

8.3.3 Participation: A family and its family members are actively involved in all the stages of the intervention process.

Family-centred: Support and guidance is provided through regular assessment and action planning which enhances the family's development over time.

8.3.5 Continuum of care: Each family and its family members has access to a range of differentiated developmental services, ensuring access to the most empowering and least restrictive programmes appropriate to its individual needs.

8.3.6 Integration: Services to the family and its family members is inter-sectoral and is delivered by a multi-disciplinary team wherever appropriate.

8.3.7 Continuity of care: The changing social, emotional, physical, cognitive and cultural needs of a family and its family members is recognised and addressed throughout the intervention process.

8.3.8 Normalisation: A family and its family members is exposed to activities and opportunities that promote its developmental needs from the perspective of normal development.

8.3.9 Effective and efficient: All actions with a family and its family members are rendered in the most effective and efficient way possible.

8.3.10 Child-centred: Positive developmental experiences are ensured for children and young people, both individually and collectively. Appropriate guidance and support is ensured through regular assessment and action planning which enhances the child and young person's development over time.

8.3.11 Restorative justice: The approach to young people in trouble with the law focuses on restoring societal harmony and putting wrongs right rather that punishment. The young person is held accountable for his or her actions and when possible makes amends to the victim.

8.3.12 Appropriateness: All services rendered to the family and its family members are the most appropriate for the child, the family and the community.

8.3.13 Family preservation: All services are prioritising the need to have the child and the young person to remain within the family context wherever possible. Family capacity building and accessibility to a variety of appropriate resources and support is of primary concern.

8.3.14 Permanency planning: Children and young people are provided with the opportunity to grow up in their own family and where this is proved not to be in their best interests or not possible, to have a time-limited plan which works towards life-long relationships in a family or community setting.

These principles, which support and complement those put forth in the Bill of Rights contained in the Constitution of South Africa and the Convention on the Rights of the Child, must form the foundation for continued action to improve the lives of children and their families and must form the cornerstone of all services rendered and programmes to families.

The IMC adopted a long-term vision and mission for the Transformation of the Child and Youth System. The vision formulated is: Children and Youth are our most treasured asset. They and their families are valued and capable and contribute to a caring and healthy society.

As discussed previously, practice principles guide the development of a framework for service delivery. This developmental framework is based on the three levels of intervention namely: Prevention (Level I), Early Intervention (Level II), and the Continuum of Developmental Services (Level III).

Family Care Services are to fall within the first two levels of intervention and aim to ensure that communities, families and groups of children and youth, broadly identified as being vulnerable to risk factors such as poverty, drugs, violence and unemployment, receive services which strengthen existing capacity and develop new capacity.

9. SERVICES TO FAMILIES TO STRENGTHEN FAMILY LIFE

9.1.1 Parenting and parenthood

The two main functions of the family are those of child rearing and the provisioning of affection and companionship to its members. In a family with children both the parents have joint responsibility for bringing up their children and for providing their children with an adequate standard of living. Parenting requires the willingness to take responsibility for the children involved. Parenthood implies dedication and resilience to persist with efforts and a clear vision to support children to develop from childhood to adulthood, from dependence to independence.

Parents should be assisted in acquiring the knowledge and life skills that are necessary to function adequately, deal with the demands of life and to fulfil their roles as parents satisfactorily. Culturally competent parenting skills training will support parents in their efforts to care for their children.

Families should be linked to services and with other families within their communities to support them. Extended family members should be motivated to be a support system to the family.

9.2 Promotion of healthy family life to strengthen families / Focus on efforts to prevent the breakdown of family life

A communication campaign to promote positive attitudes and values about the importance of strong families, and communities that support families, is necessary. This will assist in achieving outcomes such as a reduction in family breakdown. It will also seek to promote a decrease in school dropouts, increase employment and greater family self-reliance. The campaign will promote the importance of family life to the broader community and promote local partnerships to support families in their communities and workplaces. It will reinforce the significance of good parenting. Sound and strong interrelationships in the family and in marriage and relationships in the broader community will also be promoted.

9.3 Volunteers and family support

Volunteers can play a crucial role in the lives of families. They not only render services when families are in need, but they could also provide cultural wisdom and enhance continuity and permanency in the lives of people at different stages of their life.

The extent of volunteering in a community is a major indicator of community strength and commitment and has the capacity to ease the stress on families and improve well-being. Volunteering is also often a major way to generate employment.

The work of volunteers should be celebrated and supported particularly during the International Year of the Volunteer in 2001. These celebrations should include promotion of volunteer activity, greater recognition for volunteers and initiatives to foster volunteer efforts in regional and rural communities. On-going specific skills training will be necessary for volunteers in order to provide a standard of service delivery to the community group in which they are involved. As volunteers are a good investment they should be supported by remuneration and/or other forms of honouring them.

9.4 Evaluation and monitoring of initiatives to support families

Effective and sustained services of quality should be rendered to families. Evaluation and monitoring of services will ensure that uniform standards for service delivery are set and adhered to.

The Department embarked on the Developmental Quality Assurance (DQA) process as described in the Financing Policy as the core developmental tool to ensure both effective service delivery and delivery in line with the transformation vision and goals. One of the main objectives defined for the developmental quality assessment process is to ensure that welfare financing is effectively and efficiently used to bring about transformation of welfare services and to sustain those programmes that uphold human and constitutional rights and comply with financing policy principles and minimum standards.

9.5 Assessment Criteria for families who need special family preservation services

One non-negotiable criteria set for special family preservation services is the engagement with families should there be an eminent risk of children being removed from their families.

This is based on the conviction, as stated in the preamble of the United Nations Convention on the Rights of the Child, that the family, as the fundamental group of society and the natural environment for the growth and well-being of its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.

9.6 Special protection measures to be in place to support and strengthen families when the following risk factors exist:

1. Families with chronically ill children and other family members.
2. Families of children with special needs, especially children with physical and mental disabilities as well as children with behavioural problems.
3. Families with children where caregivers have chronic illnesses.
4. Families where children have no adult caregivers.
5. Teenage parents.
6. Families with children subjected to abuse and neglect.
7. Family violence and crime

9.7 Special support to families at risk – Family Preservation

Family preservation services refer to family services which are family-centred, crisis-oriented and which focus on family strengths. The goal is to preserve the family while ensuring that the children are safe while also helping the family acquire the necessary skills to remain together successfully.

9.7.1 Components of family preservation:

- **Intensive family support**

Family Preservation pilot project

The family preservation pilot project is based on a collective model of family strengthening and family support services, for the protection and development of young people within their families and communities. The first family preservation project was located in the African community of Inanda, south of Durban, in South Africa. Family preservation services imply intensive service delivery being rendered to families with the objective of <u>preventing</u> removal from their homes. The family preservation project sought to address the risk factors within the family by strengthening families and developing support networks within the neighbourhood. Families were therefore viewed as an integral part of the neighbourhood and the project attempted to place the responsibility of children, first with the family and with the community. It embodied the principle of Ubuntu (caring for others' well-being within an attitude of mutual support) where every member of the neighbourhood has a

responsibility towards others, with children and families being embraced by the interconnected rings of caring and support.

The specific goals of family preservation include:

- To improve the well-being of children within their families and communities
- To let families remain the primary caregivers of children
- To support the strengths of families
- To re-unify families
- To decrease the placement rate as well as the placement shifting (drift) of children.

- **Family Reunification**

Family reunification services as a goal of family preservation refers to those services aimed at systematically reuniting children within Residential Care or Foster Care with their families and communities. Family reunification aims at helping each child and family to achieve and maintain, at any given time, their optimal level of re-connection to full re-entry of the child into the family system, which affirms the child as part of the family. The family reunification model recognises that family reunification requires collaborative multi-sectoral work which should be offered as long as needed to maintain the reconnection.

Professional Foster Care

Professional foster care was piloted with the objective to provide an effective developmental and therapeutic service to young people within a community-based alternative care context, and to re-unite 50% of the young people in the project with their natural families and/or community of origin. Professional foster care is an indigenous model in the South African context focussing on the strengths perspective. The programme demonstrated a unique team effort by foster patents, natural parents, young people, child care workers and social workers in reunification work. Intense support to families and young people has resulted in more immediate reunification of young people experiencing very complex circumstances.

The mentioned pilot projects and strategies concerning families and others, which were developed for children and youth, now provide models to take the transformation process forward. The idea is to adapt existing pilot projects to be relevant to different communities. These programmes as well as other innovative programmes, will indicate creativity and an understanding of the developmental approach.

- **Youth mentorship**

The Mentor Model is aimed at assisting youth workers, social workers, child and youth care workers and volunteers who work with young people at community level. As a prevention and early intervention model, it helps with the prevention of anti-social behaviour as well as in early intervention as soon as challenging behaviour has been identified in young people. The Mentor Model is based on the belief that every young person needs some form of assistance and positive influencing from a trusted adult in order to reach adulthood successfully. The model serves as an supportive strategy in dealing with families and young people.

- **Community Conferencing**

Community conferencing is one of the Family Preservation Strategies that has been designed to bring forth community efforts in addressing the needs of children, young people and families. As a family preservation strategy, it goes hand in hand with efforts aimed at providing intensive family support,

family re-unification as well as youth mentor services. It is an approach used to engage and collaborate diverse individuals, groups, service providers, community leaders, professionals, para-professionals and volunteers in community-based organizations for children, youth and families to create a community-based comprehensive response to issues affecting children, young people and their families.

Some of the goals for community conferencing are:

1. To bring about a re-orientation in community values that contributes to child protection, development, youth support and development and family support.
2. To improve access to services for children, youth and families at different levels of the community.
3. To help communities to form a vision for improving conditions for children, youth and families in the communities.
4. To create safe communities for children and supportive communities for families.
5. To prevent and reduce the removal of children from their families and communities.
6. To assist communities to build community resources that address the needs of children, young people and families.

9.7.2 The use of the Family Group Conferencing approach as a family conflict resolution measure

Family Group Conferences involve the families of young people in trouble with the law. These programmes refer to services that are delivered in an appropriate and sensitive way to young people in trouble with the law as well as to their families. Restorative justice forms the key principle of the Family Group Conferences. Family Group Conferences bring together victims, offenders and their families in an attempt to restore the harm which has been brought about through crime. A Family Group Conference is a diversion option along with other options such as pre-trial community service and life skills programmes in contract with the offender being imprisoned. Family Group Conferences emphasise the important role the family plays in difficult life scenarios.

Family Group Conferencing can also be used as a strategy in delivering intensive family preservation services. Family Group Conferencing is seen as a decision-making process that is used in instances where there is a need for a plan for the child and the family and for involving the participation of family members and significant others.

9.7.3 Caring for Carers – Those people who support and care for the well-being of other families.

Social Workers, Child and Youth Care Workers, volunteers and other categories of personnel who work with children and families should be valued.

Caring, nurturing, protection, consideration and support should be given to them as key role-players in their strive to ensure that children youth, families, women and older persons are competent, experience well-being and contribute to an enabling and caring society. A caring policy for workers should be developed to ensure the well-being of the Carers of others.

9.7.4 Support measures for working parents within the community to support and sustain family life including provisions for Early Childhood Development.

Integrating work and family life is a key issue for men and women. Employment or the lack of employment of adult members of the family impacts heavily on family life. Unemployment impoverishes families and leaves children vulnerable, as their basic needs are not met. Employed

parents are confronted with the responsibility to secure their children's physical, mental, social and emotional well-being whilst engaged in money generating activities.

Early childhood development programmes act as support services to parents and assist parents with the development of their children. Children from birth to nine years of age have special needs which will be met by appropriate care and interventions which strengthen the contexts in which they live. Links exist between community development and early childhood development programmes through the empowerment and skills-development of parents and community members.

Families should have the ability to have access to and to choose child care that meets their needs. It is recognized that no single model or programme is capable of meeting the needs of children and families and a range of options is eligible for subsidization. The support this provides will enable families to find the right fusion between their work, community and parenting roles.

9.7.5 State support to organizations which render family support services

Government and the non-governmental welfare sector provide a wide range of services to children, youth and families and the aged. The budget for government institutions is R582m, while transfers of R827m per annum are made to non-governmental organizations.

The Constitution stipulates that social welfare is a shared responsibility between the national and provincial spheres of government.

Their was a need identified to transform social welfare delivery. The Financing Policy (FP) is one of the most important policy instruments for the fundamental transformation of both service delivery and the financing thereof.

One of the principles the FP is based on is the maximization of the potential for services at prevention and early intervention level. Services to families involve programmes that target the family with its members within the community on all service levels and integrate special development areas such as HIV/AIDS, poverty alleviation, crime prevention, substance abuse, survivor support and development and disability within each level and across the focus groups of children, youth, women and older persons. These services therefore should receive the necessary recognition and financing to ensure sustainable service delivery.

9.7.5.1 Balance between State responsibility and community capacity

In the Convention on the Rights of the Child it is stated that the State must respect the rights and responsibilities of parents and the wider family to provide guidance appropriate to the child's evolving capacities. Both parents have joint responsibility for bringing up their children and the State should support them in this task, however, children have a right to live with their parents unless it is incompatible with their best interests. The State should then take action to protect children. The State must provide special protection to children deprived of their family environment and ensure that appropriate, alternative family care or institutional placement is made available to them.

Services to families have as its main objective the preservation of families and the well-being of its family members. It is the States responsibility to ensure that resources will be available within communities to support families. In the case of unemployment and poverty the State should provide financial assistance to support families. The current social security measures should be reviewed and the institution of a Family Support Grant as a support measure for families who have no other means should be investigated.

In case of a single-parent family, collaboration is needed with the Department of Justice to ensure that parents maintain their financial responsibility towards their children. As stated in the Convention, the State has the obligation to ensure the child's survival and development and it also has the responsibility to provide, should the parents not fulfil their responsibility to the child. In order to prevent the State from carrying this burden on its own, urgent attention should be given to a means of obtaining maintenance from parents unwilling to fulfil their financial responsibilities towards their children.

10 MINIMUM STANDARDS TO THE SOUTH AFRICAN CHILD AND YOUTH CARE SYSTEM

Minimum standards were drawn up to establish a set of "bottom line' goals for the transformation of the child and youth care system over a period of 5 years (1997 – 2002). The main function of these standards is to enable service providers to recognise developmental tasks during the transformation/transition period and to make appropriate and specific changes in the direction of the envisaged new system.

The minimum standards will provide the policy, guidelines, minimum requirements and quality assurance for service providers. They will ensure that the rights of young people and their families are protected and that young people at risk and their families receive a quality service.

Sound family life is the cornerstone of the nation. For families to function optimally, policies and programmes to strengthen and support families should be developed by government and civil society. These programmes should empower and develop families to care for, nurture and socialise its members. A humane, stable and just society can be built through social interventions which will ensure the development of families.

The Department of Welfare embraces the vision of the IMC as previously mentioned. Therefore, strategies to follow-up recommendations in the White Paper for Social Welfare regarding family issues are to be embodied in programmes and projects addressing the needs of families.

A strategy to implement transformed services to families in South Africa includes the development of relevant programmes and monitoring mechanisms. Accessibility, as well as, the quality and appropriateness of family preservation programmes should be addressed.

NATIONAL PROGRAMME OF ACTION FOR FAMILIES

	OBJECTIVE	ACTIVITIES	OUTCOME
1	To develop a nation-wide implementation programme or plan of action for the rebuilding of families	Meeting with provincial representatives and other stakeholders in the family life sector to plan the process for the development of a nation wide implementation programme of plan of action for the rebuilding of families	An agreed nation wide programme or plan of action for the rebuilding of families

2	To reflect the true status of families in South Africa	Study relevant literature and research on family life. Prioritise the most pressing needs of families Identify social problems affecting families	Position paper on families in South Africa that reflects the status of families in South Africa
3	To provide resources and enhance access to community resources and services for care and support of families	Promote equal access for families to resources: 1. Social Development services 2. Education 3. Health 4. Housing 5. Justice 6. Water and Sanitation 7. Tel helplines 8. NGOs such as FAMSA 9. Offices to the Family Advocate and Family Courts 10. ECD facilities 11. Church Organisations 12. One Stop Centres	Community based support for families
4	To promote and facilitate the integration of a family component in the all national and provincial strategies and plans	Each stakeholder evaluate strategies and plans in their sector which impact on families	National developmental strategies and plans which are sensitive to the needs of families
5	Each stakeholder to promote appropriate participation of children and families in decision making regarding services provided to them	Each stakeholder to involve children and families as active partners in service delivery	Family participation in decision making regarding services rendered
6	To promote the collaboration between the Department of Social Development and other sectors in addressing the transformation of services to children and families.	To establish an inter-sectoral and inter-departmental family preservation forum Inter-sectoral and interdepartmental collaboration through regular meetings of a family preservation forum	Multi-sectoral transformed services to children and families.

7	As a first priority to promote preventative and early interventative services to preserve families and to prevent family disintegration.	Involve social workers in family preservation training throughout the country Promote the replication of family preservation projects in each province To develop a intersectoral communication strategy to enhance family life To launch a media campaign to enhance awareness of the value of family life and the resources available to families	Effective use of resources and services to families in communities
8	To develop strategies aimed at strengthening the economic and sustainable livelihood of families.	To promote access to work opportunities and income generating projects for family members To develop entrepreneurial skills for family member To assist beneficiaries to access social security To improve the implementation of the maintenance system to act as a safety net for families Encouraging families to invest in the schooling and further education of children as future breadwinners	Self-reliant families capable of providing for in their own needs
9	To honour all international instruments ratified by South Africa which are relevant to family live	Scrutinise legislation, policies and practises which impact on the rights of family members reflected in the international instruments	Family members rights are protected and honoured
10	To facilitate International co-operation in the field of Family Research.	Liase with the United Nations: Department of Economic and Social Affairs; Division for Social Policy and Development, to benchmark South African family policy against the findings in international family research	Family policy in line with international standards
11	To access the United Nations Trust Fund [with specific focus on developing countries and countries with economy in transition] to the benefit of South African families	Liase with the UN to prepare specific proposals for funding	Funds available for programmes to enhance family life