



Alliance for Children's Entitlement to Social Security

A C E S S

A review of co-operative governance structures relevant to children in South Africa

7 August 2008

What do we mean by cooperative governance structures?

For purposes of this review:

- Structures established by Government
- Operating at National and Provincial level
- Involving a minimum of 3 different Departments (excludes bilateral agreements and vertical structures)
- Addressing key issue of relevance to children

Why is it important for children's sector to engage with coop governance structures?

- Children's issues cut across sectors and levels of governance
- Coordinated response ensures that less children fall through the service net
- Some structures mandated to inform govt policy and practice eg. SANAC
- Designated coordinating body around issue means others won't deal with it eg. NW Disability Forum
- Structures may be gatekeepers to resources eg. Global Fund



Why is it important for children's sector to engage with coop governance structures?

- Integrated service delivery begins with co-operative governance
- Opportunity to engage with various departments at once
- Functional structures present an opportunity to deal more effectively with issues impacting children
- Accountability and representation/representivity
- Statutory obligation on all to strengthen cooperative governance



Statutory obligation

- The South African **Constitution** (s.41) calls on all spheres of government and organs of state to co-operate, assist one another, consult and coordinate policies and actions.
- **Intergovernmental Relations Framework Act** (13 of 2005) establishes a framework for different spheres of government to work together horizontally and vertically
- The **Children's Act** (No.38 of 2005) calls for establishment of a coordinating structure to realise the objectives of the Act
- National Child Rights Coordination Framework (2005) and National Policy for the **Advancement and Coordination of Child Rights** (2008) spells out the roles of different stakeholders in a collaborative response
- The **National HIV and AIDS Strategic Plan** (2007) guiding principles include “Effective Partnerships” – calling on all sectors of government and all stakeholders of civil society to be involved in the AIDS response.



Purpose of the ACCESS review

- First step of engaging with structures is to know **WHAT** structures exist and **WHY**
- ACCESS review set out to collate as much of this information as possible and to share it widely
- Presentation covers findings to date:
 - Structures
 - Provincial coverage
 - Challenges
 - Good practice



Research method

- Structures were identified through
 - General email via various electronic mailing lists
 - Internet searches
 - Government websites
 - Snowballing
 - Targeted emails and telephonic communication with:
 - National and provincial ORC offices
 - Representatives of government departments
 - Key stakeholders in each Province
 - Experts in each of the areas of interest (eg. nutrition, water and sanitation, ECD etc.)
- Information on each structure was collected via:
 - Self-completed questionnaires and/or
 - Telephonic interviews and/or
 - Secondary sources (eg. terms of reference of structure)



Type of information collected on structures

- Lead Department
- Details of chair and co-chair
- Official documents outlining purpose / terms of reference
- Objectives of structure
- Staff complement
- Representation – governmental and non-governmental
- Sub-structures
- Nature and frequency of communication and/or meetings
- Quality of attendance at meetings
- Key outputs – policy, events, products etc.
- Broader communication mechanisms with non-participating stakeholders
- Links with other structures at national, provincial, local levels
- Sources of funding
- Positive experiences and challenges

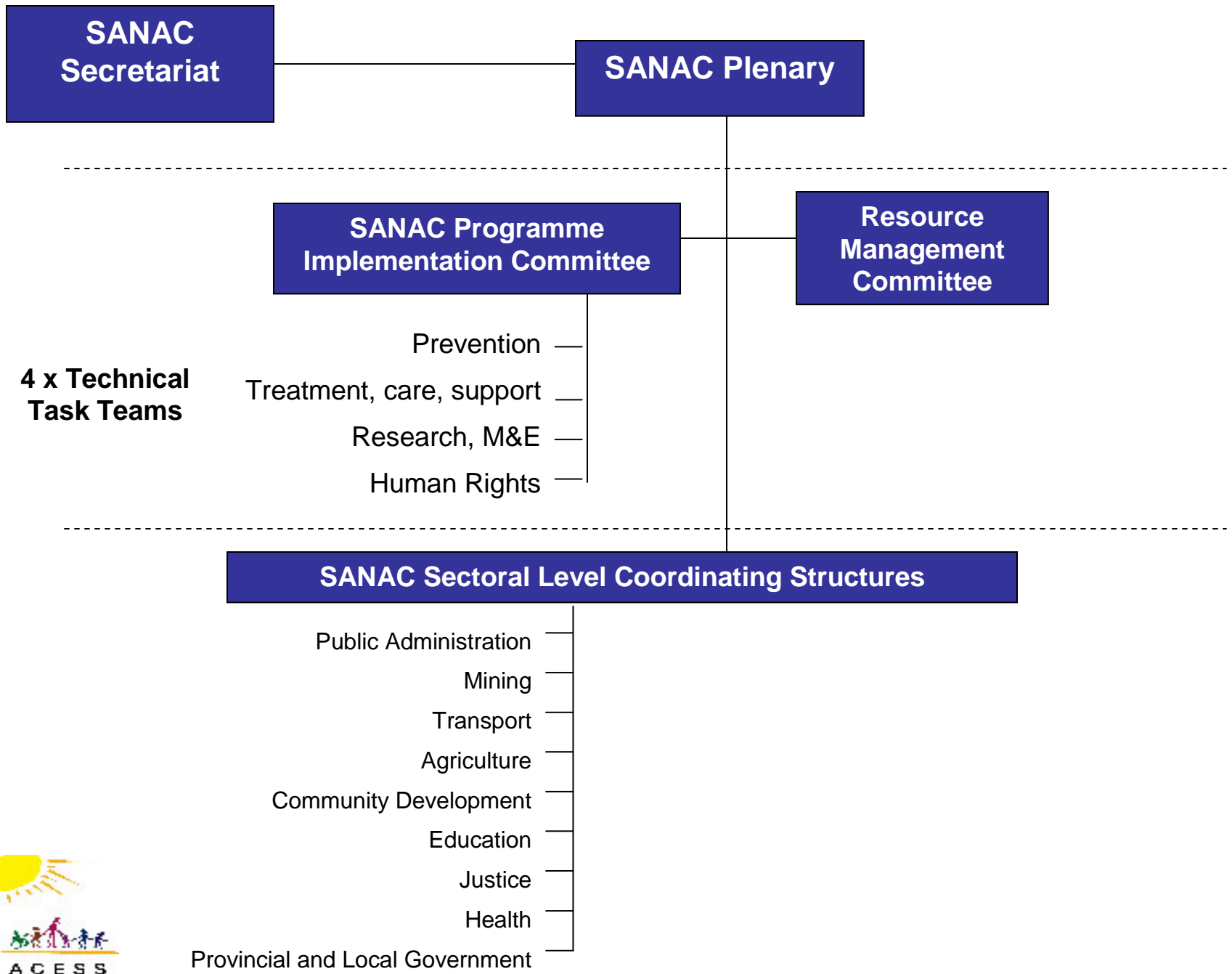


Types of structures

- Handout has list of structures that were identified, divided into 9 categories:
 1. High level structures
 2. Child Rights mainstreaming
 3. Child care and protection
 4. Children and the courts
 5. HIV and AIDS
 6. Disability
 7. Education and ECD
 8. Social Security
 9. Water and Sanitation
- Collected information on > 90 structures

Many of these have sub-structures (See SANAC example)





High level co-operative governance structures

- President's Co-ordinating Council - Minister of Provincial and Local Government, and the nine premiers:
 - To co-ordinate and align priorities, objectives and strategies across national, provincial and local governments
 - Provincial level: 'premier's intergovernmental forums
 - District level: 'mayoral intergovernmental forums'
- Ministerial clusters, directors-general clusters and the Forum of South African Directors-General (FOSAD), which promote programme integration at national and provincial level.



All of the above forums may be supported by technical committees.

High level co-operative governance structures

- Cabinet Clusters (national and provincial)
 - Function: To direct and support vertical and horizontal co-ordination of government work
 - Five clusters:
 - International Relations, Peace and Security Cluster
 - Economic, Investment and Employment Cluster
 - Governance and Administration Cluster
 - **Justice, Crime Prevention and Security Cluster**
 - **Social Sector Cluster**



Structures to mainstream child rights

- **1995:** First government structure established for the co-ordination of children's rights – the **National Programme of Action for children (NPA)**
- **1998:** **Office on the Rights of the Child** established
 - Located in the Presidency
 - Responsibility for mainstreaming, oversight and co-ordination of children's rights (including within high level structures)
 - Provincial equivalents in Premiers' offices
- **2005:** 10-year review of the NPA led to restructuring, including formation of
 - **National Advisory Council on Children's Rights** (under ORC)
 - **Provincial Advisory Councils** (under provincial ORCs)

HIV/AIDS

Issue	National	Provincial	Lead Dept
HIV / AIDS	South African National AIDS Council – Plenary	Provincial AIDS Councils	Health
	SANAC – Program Implementation Committee		Health
	SANAC – Resource Management Committee		Health
	SANAC – Technical Task Teams		
	National Action Committee for Children Affected by HIV and AIDS	Provincial Action Committees	Social Development

Education & ECD

Issue	National	Provincial	Lead Dept
Education	Inclusive Education Stakeholders Forum		Education
Early Childhood Development	National ECD Coordinating Committee		Education
	National Interdepartmental Committee on ECD	Provincial Committees / Forums	Social Development / Education / Social Cluster

Social Security, Child Labour, Disability

Issue	National	Provincial	Lead Dept
Social Security	Integrated Community Outreach Programme (in process)	Cooperative structures in process in WC	SASSA
Child Labour	Child Labour Programme of Action Implementing Committee		Labour
Disability	Interdepartmental coordinating committee on disability	Provincial Disability Forums / Councils / Task teams	Office on the Status of Disabled Persons in the Presidency / NGO led
	National Disability Machinery (includes civil society)		

Child Care and Protection

Issue	National	Provincial	Lead Dept
Care and Protection	National Child Care and Protection Forum	Provincial Forums planned	Social Development
	Children's Act Steering Committee		Social Development
	Alternative Care Forum (to replace Foster Care Task Team)		Social Development
	National Child Protection Committee	Provincial Child Protection Committees	Social Development

Child Justice

Issue	National	Provincial	Lead Dept
Child Justice	Interdepartmental Management Team		Justice and Constitutional Development
	National Intersectoral Child Justice Steering Committee	Provincial Inter-sectoral Forums on Child Justice?	Justice and Constitutional Development
	Restorative Justice Task Team		Justice and Constitutional Development
	National Oversight Committee on Dedicated and Specialised Courts	Provincial Forum?	Justice and Constitutional Development

Water and Sanitation

Issue	National	Provincial	Lead Dept
Water and Sanitation	Water for Growth and Development (in process)		Department of Water Affairs and Forestry
	HIV and AIDS Core Group		Department of Water Affairs and Forestry

National Structures with Provincial equivalents	Status of Provincial Structure								
	EC	FS	GAU	KZN	LIM	MPU	NC	NW	WC
Social Cluster	Exists	Exists	Exists	Exists	Exists	Exists	Exists	Exists	Exists
Child Rights Advisory Council		Exists	Exists	Exists	Exists	Exists	Exists	Exists	Exists
Child Protection Committee	Exists	Exists	Exists	Exists	no	Exists	no	no	Exists
Provincial AIDS Council	Exists			To launch				Exists	Exists
Provincial Action Committee for Children Affected by HIV/AIDS					To launch			To launch	
Interdepartmental Coordinating Committee on Disability	To launch		Exists	Exists	Exists	To launch	Exists	Not children	NGO-led
Early Childhood Development Forum		Exists	Exists		no	Exists	Under social cluster	Under social cluster	Exists



Blank blocks = no information provided / no response to queries

Challenge:

Improving awareness of structures and access to information

Examples of good practice:

- Website
- Workshops with stakeholders
- Email updates to constituencies
- Terms of reference developed consultatively and shared



Challenge:

Proper representation and accountability of representatives

Examples of good practice:

- Funding to support NGO and CBO attendance
- Good prior notice of meetings
- Elected civil society representatives with clear mandate
- Organised civil society cooperatives
- Representation by Department and delivery of commitments, included in key performance areas for evaluation
- Attendance records available to constituencies

Challenge:

Clear mandate

Examples of good practice:

- Clear terms of reference for structure
- Guidelines on roles and responsibilities of stakeholders
- Delegated authority to deal with key issues



Challenge:

Capacity and leadership

Examples of good practice:

- Dedicated and well resourced secretariat
- Structure appropriately housed eg. in Premier's Office
- Political commitment from lead Department
- Active chair and deputy chair (one Govt and one Civil Society)

Challenge:

Avoid duplication and address gaps

Examples of good practice:

- Clarity on relationships between different structures
- Regular communication between structures
- Good linkages between national structure and provincial equivalents
- Civil society and Government working together and not in parallel structures



Challenge:

Monitoring and evaluation

SANAC example of good practice

- Each children's sector representative developed its own TOR for its delegate(s)
- A document, signed
- Ensuring continuity and certainty

THANK YOU



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