



# LIMPOPO

## PROVINCIAL GOVERNMENT

REPUBLIC OF SOUTH AFRICA

### DEPARTMENT OF **SOCIAL DEVELOPMENT**

#### **SERVICE PACKAGE FOR CHILD AND YOUTH CARE CENTRES**

##### **1. INTRODUCTION**

A child and youth care centre is a facility for the provision of residential care to more than six children outside the child's family environment in accordance with a residential care programme suited for the children in the facility. The facility must be registered in terms of section 197 of the Children's Act 38 of 2005. It must be managed and maintained in terms of the Act.

The children are placed through a court order issued by the children's court as a temporary placement or a permanent placement.

##### **2. STRATEGIC OBJECTIVES**

Provide integrated services to children in need of care and protection.

##### **3. PRINCIPLES**

- Respect, protect, promote and fulfil the child's rights set out in the Bill of Rights, the best interests of the child standard set out in section 7 and the rights and principles set out in this Act, subject to any lawful limitation;
- Respect the child's inherent dignity;
- Treat the child fairly and equitably;
- Protect the child from unfair discrimination on any ground, including on the grounds of the health status or disability of the child or a family member of the child;
- Recognise a child's need for development and to engage in play and other recreational activities appropriate to the child's age; and
- Recognise a child's disability and create an enabling environment to respond to the special needs that the child has.
- If it is in the best interests of the child, the child's family must be given the opportunity to express their views in any matter concerning the child.

- The right of the child to express his or her own views freely.
- Child participation
- Confidentiality
- The right to life, survival, and development.
- The right to a name and nationality

#### 4. **VALUES**

- Responsiveness
- Accountability
- Professionalism
- Honesty and Integrity
- Fairness and Equity
- Respect and Dignity
- Teamwork and Partnership
- Openness and Transparency
- Innovation
- Quality
- Child participation

#### 5. **DEFINITIONS**

**'abandoned'**, in relation to a child, means a child who-

- has obviously been deserted by the parent, guardian or caregiver; or
- has, for no apparent reason, had no contact with the parent, guardian, or care-giver for a period of at least three months

**'abuse'**, in relation to a child, means any form of harm or ill-treatment deliberately inflicted on a child, and includes-

- assaulting a child or inflicting any other form of deliberate injury to a child;
- sexually abusing a child or allowing a child to be sexually abused;
- bullying by another child;
- a labour practice that exploits a child; or
- exposing or subjecting a child to behaviour that may harm the child psychologically or emotionally;

**'care-giver'** means any person other than a parent or guardian, who factually cares for a child and includes-

- a foster parent;
- a person who cares for a child with the implied or express consent of a parent or guardian of the child;
- a person who cares for a child whilst the child is in temporary safe care;
- the person at the head of a child and youth care centre where a child has been placed;
- the person at the head of a shelter;
- a child and youth care worker who cares for a child who is without appropriate family care in the community; and
- the child at the head of a child-headed household

**'child'** means a person under the age of 18 years;

**A child and youth care centre** is a facility for the provision of residential care to more than six children outside the child's family environment in accordance with a residential care programme suited for the children in the facility, but excludes-

- a partial care facility;
- a drop-in centre;
- a boarding school;
- a school hostel or other residential facility attached to a school;
- a prison; or

- any other establishment which is maintained mainly for the tuition or training of children other than an establishment which is maintained for children ordered by a court to receive tuition or training.

**'exploitation'**, in relation to a child, includes-

- all forms of slavery or practices similar to slavery, including debt bondage or forced marriage;
- sexual exploitation;
- servitude;
- forced labour or services;
- labour prohibited in terms of section 141; and
- the removal of body parts;

**'family member'**, in relation to a child, means-

- a parent of the child;
- any other person who has parental responsibilities and rights in respect of the child;
- a grandparent, brother, sister, uncle, aunt or cousin of the child; or
- any other person with whom the child has developed a significant relationship, based on psychological or emotional attachment, which resembles a family relationship;

**'guardian'** means a parent or other person who has guardianship of a child;

**'neglect'**, in relation to a child, means a failure in the exercise of parental responsibilities to provide for the child's basic physical, intellectual, emotional or social needs;

**'orphan'** means a child who has no surviving parent caring for him or her;

**'parent'**, in relation to a child, includes the adoptive parent of a child, but excludes-

- the biological father of a child conceived through the rape of or incest with the child's mother;
- any person who is biologically related to a child by reason only of being a gamete donor for purposes of artificial fertilisation; and
- a parent whose parental responsibilities and rights in respect of a child have been terminated;

**'residential care programme'** means a programme described in section 191 (2) which is or must be offered at a child and youth care centre

**'temporary safe care'**, in relation to a child, means care of a child in an approved child and youth care centre, shelter or private home or any other place, where the child can safely be accommodated pending a decision or court order concerning the placement of the child, but excludes care of a child in a prison or police cell.

## 6. LEGISLATIVE FRAMEWORK

- The United Nations Convention on the Rights of the Child (1979) (UNCRC)
- African Charter on the Rights and Welfare of the Child (1990)
- The Constitution of the Republic of South Africa, 1996
- The Children's Act No. 38 of 2005
- Child Protection Policy
- Children's Act norms and standards
- Information Guide on the Management of Statutory Services in terms of the Children's Act 38 of 2005.
- National Guidelines on Independent Living for Children in Alternative Care

## 7. CATEGORIES OF CHILDREN ADMITTED IN CHILD AND YOUTH CARE CENTRES

Child and youth care centres admit children who are in need of care and protection.

A child is in need of care and protection if such a child;

- has been abandoned or orphaned and does not have the ability to support himself or herself and such inability is apparent
- displays behaviour which cannot be controlled by the parent or care-giver;

- lives or works on the streets or begs for a living;
- is addicted to a dependence-producing substance and is without any support to obtain treatment for such dependency;
- has been exploited or lives in circumstances that expose the child to exploitation;
- lives in or is exposed to circumstances which may seriously harm that child's physical, mental or social well-being;
- may be at risk if returned to the custody of the parent, guardian or care-giver of the child as there is reason to believe that he or she will live in or be exposed to circumstances which may seriously harm the physical, mental or social well-being of the child;
- is in a state of physical or mental neglect; or
- is being maltreated, abused, deliberately neglected or degraded by a parent, a care-giver, a person who has parental responsibilities and rights or a family member of the child or by a person under whose control the child is.
- A child found in the following circumstances may be a child in need of care and protection and must be referred for investigation by a designated social worker:
  - a child who is a victim of child labour; and
  - a child in a child-headed household.
- Unaccompanied and separated migrant child.

## **8. TYPES OF SERVICES/PROGRAMMES**

The child and youth care centre must provide the following services for children:

- Meals
- Clothing (casual and school uniform)
- Beds and linen
- Medical care
- Enrol the children in schools.
- Stationery
- Child friendly furniture
- Space for each child to store their belongings.

The following programmes must be implemented in Child and Youth Care Centres:

- **Therapeutic programmes**
  - Developmental assessment
  - Individual counselling
  - Debriefing and trauma counselling
  - Grief counselling
  - Group counselling
  - Psychosocial care and support
  - Referral to other professionals
  - Play therapy
  - Family therapy
  - Counselling to children in child labour, commercial sexual exploitation and trafficking
  - Family group conferences
  - Case conferences with case managers
- **Developmental programmes**
  - Life skills

- Social and behaviour change programmes
  - Victim empowerment
  - Family preservation
  - After care
  - Income generating activities
  - Independent living for children disengaging from the residential care programme
  - Early childhood development
- **Recreational programmes**
    - Sport
    - Art
    - Drama
    - Dancing
    - Singing
    - Board games
    - Children's excursions
- **After care services**
    - Support services to families
    - Reconstruction
    - Supervision
    - Family reunification

Programmes must be implemented by practitioners who are appropriately qualified and registered with their respective professional bodies.

## 9. **REGISTRATION MATTERS**

All child and youth care centres must be registered in terms of section 197 of the Children's Act 38 of 2005.

## 10. **TARGET**

Children and persons from 18 to 21 years old. Persons from 18 to 21 years can remain in the centres provided the continued stay in the center is necessary to enable that person to complete his or her grade 12, higher education, college education, internship or learnership.

## 11. **INDICATORS**

ACTIVITY	INDICATORS
✓ Placement of children	✓ Number of children placed in Child and Youth Care Centers.

**Compiled by : Acting Director**