

CHAPTER 1

INTRODUCTION TO THE STUDY

1.1 INTRODUCTION

The study investigated the implementation of the South African Children's Act No 38 of 2005 (hereinafter referred to as the "Children's Act") in mainstream schools in the Fort Beaufort Education District in the Eastern Cape. In particular, it investigated the challenges that hinder its implementation.

Since 1994 South Africa has undergone major changes in many areas. The Department of Education also has been affected by such changes. One of the areas which received attention is the auxiliary services section which deals with children in need of care and protection. Prior to the introduction of the Children's Act, an exclusive system of identifying, assessing and giving help to learners in need of care was used. However, with the introduction of the Children's Act, the government implemented the philosophy of inclusivity. Schools, parents, community members, professionals from relevant departments and NGOs were required to work together in order to help children in need of care.

1.2 BACKGROUND

Since the focus is on the implementation of the Children's Act and factors that hinder its implementation, the researcher saw it necessary to first give a short background on the Children's Act and subsequently on the situation in schools and among stakeholders.

The Children's Act is a legislation passed by South African parliament. It gives effect to certain rights of children contained in the South African Constitution of 1996 (hereinafter referred to as the "Constitution"). The Children's Act regulates a large number of social, academic and practical contexts that involve community development, the courts and

the law, the family, social work, education, politics, child development, activity programming, organizational management, voluntary work and public relations. The Children's Act makes rules about the care and protection of every South African child and also deals with principles that are fundamental to the manner in which these children are treated and protected. The main duty that adults or stakeholders have under this Act is to make a report if they know or suspect that a child is being abused or is in need of care and protection. Under Section 155 of the Children's Act, the duty to report applies irrespective of whether one is certain or only suspicious of abuse and whether the abuse has happened or is likely to happen. This Act applies to parents; teachers; community members; the Departments of Education, Health and Social Development; Non-Governmental Organizations and other persons who work with children. The bulk of the Act deals with matters that need to be implemented on a practical level.

The implementation of the Children's Act will ensure that learners receive the education they need by first making sure that learning institutions are available and supported by the government in all respects. Secondly, by making sure that learners in need of care are identified. Lastly, by encouraging the processes of identifying barriers to learning, assessing and giving support to those learners identified. By so doing, it removes the obstacles and opens the doors of learning, thus encouraging the process of learning and teaching.

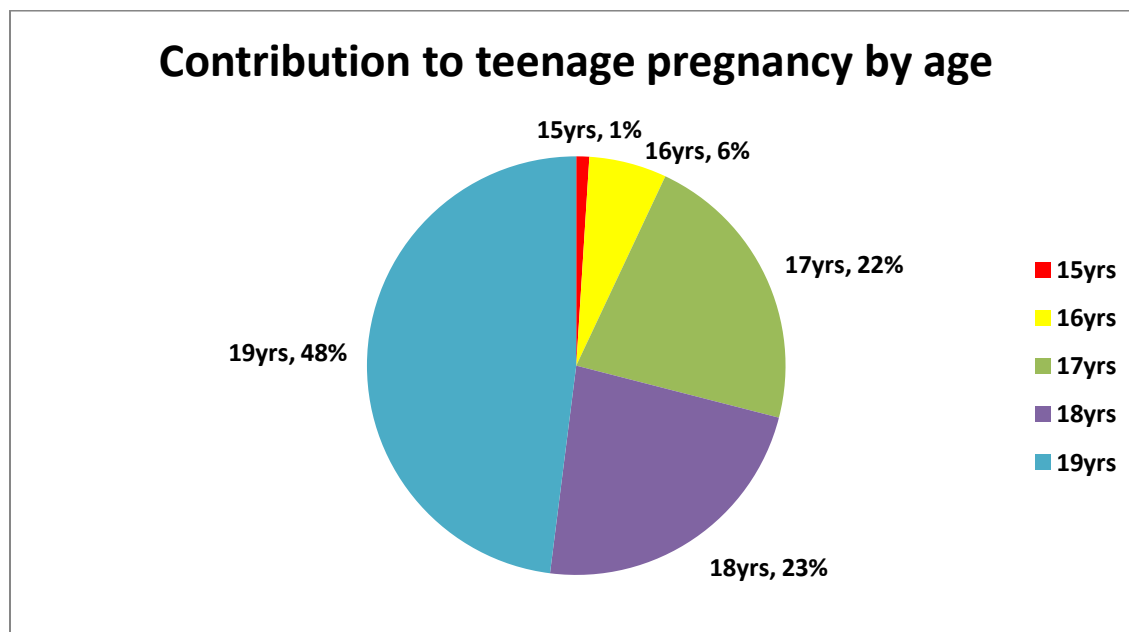
Children are among some of the most vulnerable and neglected citizens. In South Africa the large numbers of emotionally disturbed children is illustrated by the swelling numbers of non-learners, delinquents, school dropouts, teenage pregnancy and perpetrators of violence. The statement of Grace Naledi Pandor at a Ministerial Council meeting in Cape Town illustrates this aspect. She stated that South Africa is doing well with respect to enrollment of children up to grade nine, but a significant number dropout at that point. Between 11% and 15% of children leave each year after grade nine the last year of compulsory education. The retention rate up to grade nine is over 95%. She acknowledged that a number of factors contribute to school dropouts, among them

learner vulnerability, neglect and learners being emotionally disturbed. These factors are the findings of a ministerial task team put together following massive debates on the matter (Parliamentary Monitoring Group: 2010. Online).

Following parliamentary questions from the opposition, there had been a flurry of media reports about teenage pregnancy in schools.

The following figure shows that pregnancy among 15-16 year olds account for 7% of all teenage pregnancy, while 17-19 year olds account for 93% of teenage pregnancies. (Reproduction Health Research Unit: 2004).

Pregnancy among children of school going age



Source: Reproductive Health Research Unit (2004) National HIV and Sexual Behavior Survey of 15 – 24 year olds, 2003.

Such high percentage of teenage pregnancy has made society increasingly conscious of psychological problems that may arise. The effects of early adverse experiences on children are not irreversible but with increasing age, this becomes more difficult. Many children, the youth and families can be assisted if problems are detected early and

managed appropriately. Teachers are a key resource from which cost effective, accessible and wide-ranging educational, primary health and other services can be delivered. Many learners, in the course of their lives, experience problems which may require aid from the teacher in order to prevent mental and/or emotional impairment.

It is unfortunate that a number of learners at mainstream schools are learners in need of care and support. Some require intensive educational and other support either on a full or on a part-time basis. By fulltime we mean continuous and long-term support and by part-time we mean occasional or short-term support. These learners are most of the time not identified or known by the schools that they attend and, as a result, they do not get the necessary support that they deserve as provided for under the Children's Act.

The aim of implementing the Children's Act in schools is based on the premise that learners with problems be identified through collaboration between all stakeholders, and the problems that are identified be rooted out and learners assisted.

The learners in need of support and care are, in many instances, not reported to schools by parents, communities and other departments. This was revealed during discussions in Principals' meetings in the Fort Beaufort Education District in 2010. They are the stakeholders that are mostly aware of the children's difficult situations. They are the institutions which ought to supply schools with information about such learners. Such information will enable schools to organize support for learners.

The first and key stakeholder is the parent. Since 1994 South Africa has introduced important legislation and education reforms, which aim to improve the partnership between the school and the family. The South African Schools Act, 84 of 1996, provides for parent representation as mandatory in School Governing Bodies. Moreover, recognition of increased parent involvement in Early Childhood education has received attention in recent legislation and policy documents, such as the Education White Paper 5: Early Childhood Development (DoE 2001); The National Early Childhood Development (ECD) Pilot Project Draft Qualifications Framework; and the Language in

Education Policy (DoE 1997). All these policy documents explicitly or implicitly acknowledge that parents play an important role in the education of children and that a partnership should be forged between the home and the school. In realizing these aims, communication plays a central role (South Africa: Human Development Report: 2003: Online). Close contact and regular communication between the home and the school in Early Childhood programmes improve the way parents and educators work towards the goal of child development. Moreover, parents' identification and involvement with programmes is enhanced, which increases parents' satisfaction and learners' success. Communication plays a key role in all parent involvement programmes. Teachers at parents meetings in the Fort Beaufort Education District complained about negative attitudes of parents towards parent involvement programmes in schools. This means, among other things, that they may not be eager to report their children's problems to schools. The attitudes of parents could affect the implementation of the Children's Act since they are stakeholders in the implementation process.

The second stakeholder is the Department of Education. The Salamanca "Framework for Action" states that schools and departments of Education must recognize and respond to the diverse needs of their learners, accommodating all regardless of any difficulties or differences they may have, and that the state should offer a continuum of support services to support the development of inclusive schools (The Salamanca "Framework for Action". UNESCO: 1994.Online).

The current education legislation and policy reflect the commitment of the South African government to address the diversity in the learner population and to provide a continuum of support within a democratic South Africa. Education White Paper 6 recommends a community-based approach to support the establishment of institutional level as well as district support teams as a strategy to facilitate the implementation of the Children's Act. These teams provide the full range of education support services by pooling limited available professional and other resources in order to make optimum use of them (White Paper 6. Department of Education: 2001).

This approach enhances collaboration as a critical feature of the success of the program. Collaboration should be inclusive, encompassing educators, principals, administrators, parents, learners, professional support personnel and should focus on shared decision making in governance, planning, delivery and assessment. (Wood: 1998:29).

Education Management Information Systems show non-existence of structures in schools to facilitate the implementation of the Children's Act. Most of the Fort Beaufort schools have not yet established structures like Institution Level Support Teams (ILST) and peer groups structures. The latter are important in the implementation of the Children's Act (Education Management Information Systems: 2010: Online).

Professionals from various sister departments that offer assistance to schools also play a vital role. There is widespread acceptance of the central role that professionals from various departments can play in meeting learners' needs, and in reducing their exclusion from school curricula and communities.

The Principals' forum in the Fort Beaufort Education District frequently complains about an acute lack of collaboration between schools and various government departments. Sister departments are required to assist the Department of Education and schools. The bulk of such assistance towards the implementation of the Children's Act comes from sister departments. It is impossible for the Department of Education to run the show alone and this is why the philosophy of inclusivity is vital. Most referrals are to the Department of Health and the Department of Social Development since Fort Beaufort schools do not have their own school nurses and social workers. The current situation in Fort Beaufort is such that these departments are working independently of each other or exclusively and there is a very thin line that links the departments and the schools.

Practical concerns have encouraged the researcher to research this topic. By practical concerns it is meant learner's problems like a learner being impregnated by a family member, dropping out due to financial conditions, Aids victims and bullying. Educators

encounter problems everyday at schools because many children in need of care are not identified at an early stage by schools because they are not reported by stakeholders. This could be due to lack of communication and links between schools and other stakeholders. Many learners in need of care do not receive enough support in order to alleviate the burden upon them and to allow them a chance to develop fully.

1.3 STATEMENT OF THE PROBLEM

According to Education Management Information Systems the following factors are common among learners in mainstream schools in South Africa: dropout rate, teenage pregnancy, high failure rate and personality or behavioural problems (Education Management Information Systems: 2010). It was hoped that the introduction of the Children's Act, and its proper implementation, would have considerably alleviated the plight of learners. This, however, has not been the case. The research therefore investigated the implementation of the Children's Act in order to find out the factors that are conducive towards or hinder its implementation. The Act is designed to improve learners' conditions by providing care and protection to every South African child. It applies to parents, teachers, community members, Department of Education, Department of Social Development, Department of Health and the NGOs.

1.4 RESEARCH QUESTIONS

- What are the challenges that hinder the implementation of the Children's Act in mainstream schools?
- What suggestions can be made to enhance the implementation of the Children's Act in schools?

1.5 OBJECTIVES OF THE STUDY

The study sought to:

- Explore the challenges that hinder the implementation of the Children's Act.

- Explore better ways of enhancing the implementation of the Children's Act in schools.

1.6 ASSUMPTIONS OF THE STUDY

The study assumes that:

- Learners in need of care are not easily identified in mainstream schools because there are no proper systems to facilitate such identification process.
- Parents and community members know about the plight of their children but fail to report them.
- There are no systems in place at the school level to handle their plight even if they are reported or identified.
- There are barriers that hinder other stakeholders from reporting and giving information about learners to schools.

1.7 RATIONALE OF THE STUDY

A study of this nature is important because it will assist the district in determining the reasons why a number of stakeholders do not report or give out information to schools. The study will also contribute to information on the identification of the problem and appropriate support systems. It will add to the already existing findings and information about the vulnerability of deprived or disadvantaged children at mainstream schools. This study therefore will benefit most children in need of care and educators who oversee the best interest of the child and manage the process. It will overhaul the process of identifying, assessing and providing programmes for all learners requiring additional support so as to enhance participation and inclusion.

1.8 DELIMITATION OF THE STUDY

Delimitation means determining the limits or boundaries. These can be physical boundaries or contextual boundaries. This study will focus on the challenges faced in

the implementation of the Children's Act in mainstream schools. The research will be confined to the Department of Health (Fort Beaufort District), the Department of Social Development (Fort Beaufort District) and four secondary schools within the Fort Beaufort Education District. Data collection will rely mainly on views and perceptions of respondents and on documents. Respondents will be teachers, social workers and school nurses. The study will not deal directly with children but with significant adults in children's lives, that is, teachers and also with other stakeholders.

1.9 DEFINITIONS OF CONCEPTS

- 1.9.1 Children's Act No 38 of 2005:** The Children's Act is a comprehensive legislation that introduces a full range of social, health and academic services that are so desperately needed by vulnerable children and their families. It encompasses a holistic approach to various types of problems concerning children, and how to address them.
- 1.9.2 Implementation:** Ham and Mill 1984:104 define implementation as "those actions by public or private individuals (or groups) that are directed at the achievement of the objectives set forth in prior policy decisions". In this study, implementation means actions and activities conducted by teachers, parents, community members, schools, Department of Education, Department of Social Development and Department of Health to achieve the objectives and goals set out by the Children's Act.
- 1.9.3 Mainstream schools:** Normal or conventional schools which accommodate both normal learners and learners with special education needs.

1.10 ETHICAL CONSIDERATION

The researcher shall observe the respondents' right to privacy, anonymity, confidentiality, informed consent and security. The purpose of the research will be explained to respondents before the interviews can be carried out and they will be given the option to opt out if they so wish. Data collected will be confidential and will be used only for academic purpose. This is in line with the University of Fort Hare Research Policy.

1.11 CHAPTER OUTLINE

Chapter 1 introduces the study and consists of background to the study, statement of the problem, research questions, aims and objective of the study, hypothesis, significance of the study, definition of concepts, ethical consideration and chapter outline.

Chapter 2 will cover the literature reviewed and theoretical framework.

Chapter 3 will deal with the methodology used in the study. It will cover the methods of collecting data, data analysis and sampling.

Chapter 4 entails data analyses and discussion.

Chapter 5 will provide research findings, recommendations and conclusion.

CHAPTER 2

LITERATURE REVIEW

2.1 INTRODUCTION

This Chapter will focus on what various authors have written about the challenges that hinder the implementation of the Children's Act. The researcher reviewed sources such as books, reports, and documents as well as the internet to gain more information on the topic of research. This was done in order to gain more insight and prove or disprove the assumptions of the research.

2.2 THE SOUTH AFRICAN CONSTITUTION OF 1996

Section 28, Chapter 2 of the Constitution of South Africa of 1996 spells out clearly that children have rights to basic nutrition, shelter, basic health care service and social service. The Constitution provides the framework through which the rights of children are protected. Various legislation and policy framework elaborate further on how the rights can be implemented such as the Children's Act. Those abused, maltreated and in need of basic health care service should be identified by schools or reported by parents and community members to their schools. It is also the duty of other sister departments to co-operate and work hand in hand with mainstream schools in order to achieve the child's full development.

2.3 CHILDREN'S ACT No 38 of 2005

Instances of child abuse and vulnerability are reported in the media every day (Media Club South Africa. 06, November, 2008; Daily Dispatch, East London 09, June, 2004) so there can be no doubt that South Africa needs comprehensive and achievable child care and protection legislation. The Children's Act certainly is a comprehensive piece of legislation which introduces a full range of social services that are so desperately in

need by vulnerable children and their families. The Act gives effect to certain rights of children as contained in the Constitution. The overall objective of the Act is to facilitate and see to it that all what is contained in the Constitution pertaining to children is implemented or adhered to by all relevant parties. The Act establishes rules, regulations and systems relating to care and protection of South African children.

The interest of this study is Chapter 9 of the Children's Act. This Chapter dwells on the child in need of care and protection. The focus of this mini dissertation is the implementation of Chapter 9 of the Children's Act and factors that hinder its implementation.

According to the Children's Act, a child is in need of care and protection if "the child has been abandoned or orphaned and is without any visible means of support; displays behaviour which cannot be controlled by the parent or care-giver; lives or works on the streets or begs for a living". The Children's Act spells out that a child is in need of care and protection if "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 of the child" (Section 150, Chapter 9, Children's Act: 2005).

Section 155, of the Children's Act encourages reporting of a child in need of care by any person or community member to schools and departmental officials. When evidence given by any person on oath, or affirmation before a presiding officer reveals that a child who resides in the area of the court's jurisdiction is in need of care and protection, the presiding officer must order that the question of whether the child is in need of care and protection be referred to a designated government official for an investigation.

2.4 THE INFLUENCE OF INTERNATIONAL LAW ON THE CHILDREN'S ACT

2.4.1 Universal Declaration of Human Rights, adopted in 1948

Article 3 stipulates that everyone has the right to life and this includes vulnerable children at schools. Article 26 goes further and states: "everyone has the right to education". This means that children in need of care should also be afforded an opportunity to enjoy the right to education. Barriers to education should be removed, which is what the Children's Act and this study aim to achieve. Such as physiological and socio economic barriers.

2.4.2 International Covenant on Economic, Social and Cultural Rights, adopted in 1966

Article 10 of this Covenant provides for the protection of family, mothers and children. It requires special measures of protection and assistance to be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation.

2.4.3 African Charter on Human and Peoples' Rights, adopted in 1981

Article 18 of the African Charter on Human and People's Rights, champions the Children's Act by stating that the state shall ensure the elimination of discrimination against children and women and also ensure the protection of the rights of women and children as stipulated in international declaration and conventions.

2.4.4 The Convention on the Rights of the Child, adopted in 1989

Article 19 of this Convention provides measures to protect the child from all forms of physical or mental violence, abuse, neglect and maltreatment. It advocates the

establishment of social programmes to provide necessary support for the child and for those who have the care of the child. That is what the Children's Act No 38 of 2005 is advocating. The enjoyment by the child of the highest attainable standard of health is contained in article 24. Articles 28 and 29 both recognize the right of the child to education.

2.4.5 African Charter on the Rights and Welfare of the Child, adopted in 1990

The African countries recognize that the child, due to the needs of his or her physical and mental development, requires particular care with regard to health, physical, mental, moral and social development and requires legal protection in conditions of freedom, dignity and security. Article 5 stipulates that every child has an inherent right to life. This right shall be protected by law. Article 11 further states that every child has the right to an education and such education shall be directed to the full development of the human personality. All the rights mentioned above are protected by the Children's Act in South Africa.

The Children's Act and the above mentioned international instruments provide for the enjoyment by the child of the highest standard of health and of the right to education.

2.5 FACTORS THAT HINDER THE IMPLEMENTATION OF THE CHILDREN'S ACT

2.5.1 Effective home/school communication from the parent's perspective

McDermott and Rothenberg postulate that effective information sharing between schools and parents means positive involvement of parents in school activities. Such positive parent involvement will be a result of good home school communication.

There are at least three good reasons for school administrators and teachers to forge strong communication links with the communities they serve. Firstly, educators must understand the needs and expectations of students and parents if they are to develop

appropriate school programmes. Secondly, parents and other citizens need accurate and up-to-date information about the schools, if they are to make sound judgments about how well the schools are meeting the needs of students and of the community. Finally, close communication between schools and their communities establishes shared goals and thus builds public support for and commitment to the schools and their educational objectives. Accurate and up to date information about schools will help parents prepare full participation and know how and when they can intervene (Cattermole and Robinson: 1985. Online).

For the above three reasons, most schools make systematic efforts to build home/school communication links. For example, virtually many schools schedule parent/teacher conferences. They distribute newsletters to parents or even to the community at large. In some localities, annual open days give citizens opportunities to visit their neighbourhood schools. In many cities, parent teacher organizations or school community councils provide forums for dialogue between educators and the people they serve (Cattermole and Robinson: 1985. Online).

Henderson argues positively about family school partnerships. She postulates that building family/school partnerships that work make everyone benefit in that students do better in school and in life; parents become empowered; schools get better and communities grow stronger. This ensures school programmes will also be taken care of (Henderson: 2010. Online).

Cattermole and Robinson are of the opinion that a good school, family and community partnership lead to improved academic learner achievement, self-esteem, school attendance and social behaviour. Parents and teachers experience mutual support and satisfaction in achieving positive changes in children and in the school (Cattermole and Robinson: 1985. Online).

This is alien to the Fort Beaufort Education District schools where such activities rarely occur. Many reasons can be cited; 'inter alia', rural schools do not print newsletters

because they do not have resources and the technology to print. It is important to mention that most learners in the Fort Beaufort District stay with grandparents in previously disadvantaged communities, that is, grandparents who cannot attend meetings due to old age (physical health). Some of these grandparents cannot read or write and all this has a negative impact on learner progression and on the schools. It discourages family involvement in school activities and aggravates learners' problems. This was reported in Fort Beaufort Education District Principals' meeting, 15 March 2010.

2.5.2. Reporting children in need of care and protection

Section 110 of the Children's (Amendment) Act 41 of 2007, gives a list of practitioners who work with children and who are supposed to report cases of sexual abuse, physical abuse and neglect of children. Additions by parliament to the list include correctional services officials, homeopaths, midwives, traditional leaders, immigration officials and volunteers. The criterion for reporting has changed from "on personal observation to "on reasonable grounds". The requirement of "on personal observation" was too strict a criterion and could have the effect of preventing people from reporting cases for investigation (Proudlock and Jamieson: 2008. Online). Barriere agrees with the Children's (Amendment) Act when comparing the situation in California in that allegations of child abuse are reported by district employees. State law and district policy mandate the reporting of any reasonable suspicion of child abuse to a child protective services agency (Barriere: 2002: Online).

2.5.3 Reporting of an offence to the police

According to the Children's (Amendment) Act if, having conducted an investigation, either the Department of Social Development or the designated child protection organization finds the child in need of care and protection they "must report the possible commission of an offence to a police official" (Section 10 Children's (Amendment) Act, 41 of 2007).

This last amendment introduces quite a major change in practice. Currently social workers exercise discretion on whether or not to report the matter to the police. Section 110 takes this discretion away and obliges them to report the matter to the police if a criminal offence or an offence created under the Children's Act has allegedly been committed (Proudlock and Jamieson: 2008. Online).

Clayton postulates that although every state in America has laws requiring child sexual abuse to be reported, few cases involving members of the clergy are ever turned over to police by church officials and fewer still result in anyone going to jail. Currently, Massachusetts and 17 other states have mandatory-reporting laws that do not specifically require the clergy to report sexual abuse of children. Another 19 mandate that church officials, as well as everyone else, pass on information, with the exception of incidents that come up in "clergy-penitent" conversations, such as confession. In six more states "all persons" must report, but the clergy's status is unclear. Seven states always require churches to relay information, even information obtained in the confessional booth (Clayton:2002. Online).

The exercise of discretion by social workers on whether or not to report sexual abuse to police links up with the practice by Massachusetts and 17 other states that have mandatory reporting laws that do not specifically require the clergy to report sexual abuse of children.

According to Youssef and Atta, a training programme for professionals working with children is recommended and such a programme should also motivate professionals to report cases. Policy-makers should consider legislation mandating the reporting of cases of maltreatment and ensuring sufficient protection to the reporters (Youssef and Atta: 1998. Online). Ackerman and Graham stated that just as unreported and undisclosed abuse is unjust so is the unfounded and inaccurate reporting. A false report is devastating and lasting; the stigma stays long after the report has been cleared. Therefore it is important that careful investigation is done before accusations are made (Ackerman and Graham: 1990:115).

2.5.4 Involvement of the Department of Social Development

The difficulty in coping with problems identified with learners in schools is that schools have to go out and secure assistance from a separate department, that is, the Department of Social Development (DoSD) or the Department of Health (DoH). These schools do not have services ready within the institutions in the sense that social workers and school nurses do not reside and work within the schools. There is only one social worker and one school nurse allocated for the whole Fort Beaufort school district. However, the Department of Social Development is trying its best to deliver services and it has the following in store for learners from mainstream schools.

Some families are child headed, as their parents have migrated to cities in search of work, have died, and others are illiterate and without jobs. Children take over responsibilities of adults and care for their sick parents. Poor parents do not have enough money to go about making applications at various offices. Illiterate parents lack information because they cannot read or write and sometimes they are just ignorant (National Teachers Guide: 2010: 9).

When faced with these issues, educators can do the following:

2.5.4.1 Involvement by way of providing grants

To get a child support grant, the person applying must be the primary caregiver of a child who is under 15 years of age. This caregiver cannot have more than six children and he or she needs to complete a means test. To apply, the caregiver will need the birth certificate of the child, a clinic card, an Identity Document (ID), proof of income and a letter from the school principal, if the child is at school. He or she will also need proof of residence and a letter from the employer to prove that he or she is working (Section 8, Social Assistance Act, 13 of 2004). This facilitate the implementation of the Children's Act, in that these grants alleviate socio economic problems to families and learners.

2.5.4.2 Where to apply for these grants

The nearest South African Social Security Agency (SASSA) office, which is usually a section of the office of the Department of Social Development, is the place to apply. The applicant has to be seen by an official of SASSA and have fingerprints taken. The receipt from SASSA is the proof of application and must be safeguarded. It is issued when all requirements are met for the grant to be received. If the application is not approved by the SASSA's office, the person must be informed in writing, and the reasons given.

There is a right of written appeal to the Minister for Social Development, explaining why the applicant disagrees with the decision to refuse the grant. This appeal must be lodged within 90 days of notification of the outcome of the application (Social Assistance Act, 13 of 2004).

2.5.4.3 Problems in sourcing grants for abandoned or orphaned children

Children under 18 cannot be grant recipients. A responsible adult has to be found. Sometimes grants are abused by the adult and the child does not benefit. An adult applying for a child's grant would need the death certificate of the parents of the abandoned or orphaned children and birth certificates. When children are in the care of someone other than the parent and the latter is still alive, the parent has to make an affidavit stating that she or he has placed the children with the other (usually family member or friend) before the child grant can be accessed (Section 8, Social Assistance Act, 13 of 2004).

2.5.4.4 How social workers are involved in schools

School social workers are employed and placed in schools and not in the Department of Social Development. In South Africa such an arrangement is found in the following categories of schools: former model C schools, previously advantaged schools, private

schools, youth places of safety, schools of industry and secure care centers. Places of safety, schools of industry and secure care centers are under the direct control of the state and heavily funded by the state. School social workers are not found in mainstream schools which are from previously disadvantaged communities like in the Fort Beaufort Education District.

All schools at which the research was conducted are previously disadvantaged schools. Social work services that can be accessible from these schools are provided by social workers from the Department of Social Development. Their programmes and services are funded by the Department of Social Development. This means that these social workers are based not in schools but in the Social Development Department. The opposite is true with the categories of schools mentioned before, where school social workers are based in the institutions or schools, work and report directly to the institutions concerned, and form part of multidisciplinary teams of the institutions. Their offices are inside the institutions and deal only with students and parents' issues and referrals of that particular institution.

The Bureau of Labour Statistics understands that the function of social work is to deal with the failure of other policy areas such as crime, health and education. Social work is then seen to be charged with not simply dealing with those in need but rather with addressing the shortcomings of key policy areas in the public service. This means that social work is expected to address the failure of social policies. It goes further to say that school social workers serve as vital members of a school educational team, playing a central role in creating a positive school climate and vital partnership between the home, the school and the community in order to ensure the student's academic success (Bureau of Labour Statistics: 2010.Online).

Social workers are skilled in providing services to students who face serious challenges to school success, including poverty, disability, discrimination, abuse, addiction, bullying, divorce of parents, loss of a loved one and other barriers to learning (No Child Left Behind Act: 2001.Online).

The mission of a school social worker is understood to be, among others, to establish a supportive network of services, to bridge the gap between home and school, that is, it acts as a link between the home and the school, tackling and advising on problems that might be encountered. The second part of the school social worker's mission is to assist the administrator, principal, school based and student services personnel in meeting the educational needs of students.

There are various reasons why schools need school social workers: to link the schools and learners to needed community resources; to develop collaborative relationships between schools and parents; and to develop holistic perspective of students' environment and resiliency. By holistic perspective, it is meant the integration of data from home, school and community. All that is being said happens within the institution and not from the Department of Social Development.

A school social worker should also be capable of linking learners, parents and families to community resources and also to resources within the school, the Department of Education and other sister departments, for example, arranging social grants for learners with the Department of Social Development, arranging bursaries for needy and hardworking learners within the institution. Its duty is to encourage parent involvement in school programmes and activities. Crisis intervention, individual and group counselling and psychological assessment of learners are among the duties of the school social worker. They are an integral part of the multidisciplinary teams.

2.5.4.5 Accessing school social workers' services

In the Fort Beaufort Education District school social workers reside in the district student services office. Students or parents may refer themselves or be referred by administrators, principals or any school personnel.

This has and is still not working well for schools, parents and social workers. Resources are inadequate for both schools and social workers' office. Both financial and physical

resources restrict the movement between schools and social workers' office and this frustrates the implementation of the Children's Act.

2.5.5 School health services and the implementation of the Children's Act

Hereunder is the exploration of the collaboration between schools and the Department of Health. This is intended to facilitate the process of screening and identifying children in need of care, which processes will in turn facilitate the implementation of the Children's Act in mainstream schools.

2.5.5.1 Basic considerations

The School Health Service is expected to provide a health promoting service by acting in a co-coordinating role, making use of the skills and capacity in different sectors of society, including the community, the learners themselves, educators and NGOs (Primary health care package for South Africa. Department of Health: 2000. Online).

Standards set for the School Health Service need to take into account the diverse situation of schools and school health services at present, the changing philosophy introduced by the education sector, including outcomes based education and inclusive education. The introduction of the philosophy of inclusive education means that children with barriers to learning will be included in ordinary schools and that these schools and communities will have to be developed and be able to provide acceptable services for these children (White Paper 6. Department of Education : 2001:45). Teachers generally do not have the capacity to deal with these children but the school health services can play a role in enabling teachers to identify and integrate the children into the classroom. School health personnel may not have the capacity to implement their new role therefore a transformation-training programme is required. New resources for school health promotion need to be developed and funded. The School Health Teams should become an integral part of the primary health team and intrasectoral team.

These recommended standards are based on the assumption that the Primary Health Service is built on the Sub-district approach to service delivery. (Primary Health Care package for South Africa Department of Health: 2000. Online).

2.5.5.2 Service description

The school health service is a health promoting service dealing with the individual in the context of the family and community and within the school environment. The service encourages the school to seek, develop and implement school policies that promote and sustain health, improve the physical and social environment within which children learn, and develop and improve children's capacity to become and stay healthy.

2.5.5.3 Interaction between the Department of Health and Education

It is important to teach children about the value of good health. A national framework on health and wellness aimed at improving the understanding of health-related issues for teachers and learners was developed by the Department of Education. Examples include: programmes to educate learners about HIV/Aids, guidelines for the management and prevention of drug abuse by learners (National Teacher's Guide 2010:10). This can only be achieved with the assistance of the Department of Health.

It is important to have a close look into the scope and functions of the school nurse. This will enable the researcher to compare these functions with what the respondent (school nurse) from the local health district offices said during the interviews. During the interviews the researcher was able to compare theoretical functions, working conditions, knowledge and abilities outlined and stipulated for a school nurse to practical situations.

The Royal College of Nursing came up with two types of school nurses, that is, the independent school nurse and the public sector school nurse. With the independent school nurse the range of activities undertaken are different from the public sector school nurse. He or she attends to injuries and is available to learners without appointment. With a public sector school nurse, the range of activities covered is much

wider. School nurses facilitate the link between school or learners and a wider range of other agencies or professionals (Royal College of Nursing: 2005. Online).

The following is the work done by a school nurse who is employed and working for an institution or a school. He or she provides preventive health services to facilitate the student's optimal physical, mental, emotional and social growth and development. In addition he or she identifies problems and disabilities and provides such services as case findings, health education, referrals and care in order to help prevent serious health problems which would later be more difficult and costly to address, and supports the education process by working to assure the health of the students.

The school nurse counsels students concerning problems such as pregnancy, sexually transmitted disease and substance abuse in order to facilitate responsible decision-making practices. He or she serves as a resource person to the school staff members. The school nurse provides health education and anticipatory guidance, that is, direct health education, and health counselling to assist students and families in making decisions on health and lifestyles that affect health. He or she participates in health education directly and indirectly for the improvement of health by teaching persons to become more assertive health consumers and assume greater responsibility for their own health.

2.5.6 Department of Education perspective

Within school, factors that contributed to implementation of any school programme, were the creation of a supporting culture for institutional change, the overcoming of programme resistance on the part of a majority of teachers, a commitment to implementing the structures of the programme, a strong school site facilitator, less concern among teachers for handling an increased workload and availability of programme material (Cooper: 1998:79).

The government is generally committed to children's welfare. The law provides for greater educational opportunities for disadvantaged children, traditionally black children, through a uniform system for the organization, governance, and funding of schools. It mandates compulsory education from ages seven to fifteen and ensures that children cannot be refused admission to public schools due to lack of funds (Section 5, South African Schools Act: 1996).

There continued to be reports of widespread rape, sexual abuse, sexual harassment, and assaults of girls at school by teachers, students, and other persons in the school community (Media Club South Africa. 6, November, 2008). The Children's Act requires schools to disclose sexual abuse to the authorities. However, administrators often conceal sexual violence or delayed disciplinary action. The level of sexual violence in schools also increases the risk of girls contracting HIV/Aids or other sexually transmitted diseases, as well as unwanted pregnancies. Many girls, some as young as four years old, were raped on school premises (Parliamentary Monitoring Group: 2010).

The Bureau of Democracy, Human Rights and Labor reports that although the law (that is South African Schools Act) prohibits corporal punishment in schools, there were reports that teachers used physical violence to discipline students. Student-on-student violence, including racially motivated violence, continues to be a major concern of educational authorities and parents (Bureau of Democracy, Human Rights and Labor: 2006. Online). Teacher organizations, parents, and police worked together in the 'Safe Schools Programme' to address these problems. Many schools implemented "Adopt-a-Cop" programmes in which they invite South African Police Service (SAPS) officers into their schools for training and security (National Teacher's Guide: 2010:14).

HIV/Aids activists, physicians, and opposition parties continue to criticize the government for failing to provide ARV therapy to pregnant and breastfeeding women and thereby protect young children from HIV/Aids transmission (Bureau of Democracy, Human Rights and Labor: 2006. Online). Violence against children, including domestic violence and sexual abuse, remain widespread. While attention to the problem has

increased, lack of coordinated and comprehensive strategies to deal with violent crimes continues to impede the delivery of needed services to young victims (Bureau of Democracy, Human Rights and Labor: 2006.Online).

The following types of violence are common in mainstream schools. These are student on student violence, violence against children and sexual violence.

2.5.7 Bullying as a form of student on student violence

Bullying is when an individual, or a group of people, upset or create a risk to another person's health and safety either psychologically or physically, or against their property, reputation or social acceptance on more than one occasion (Department of Education and Early child Development: 2008. Online).

One method being suggested to manage incidents of bullying in schools is to use the approach of 'shared concern'. This method helps learners to develop empathy and concern for others and give them strategies to enable them get along better with others in the school and at home. Staff in schools should be trained to use the method of 'shared concern'. The Department of Education has already started the training of educators in this regard (National Teachers Guide 2010:19). This has just been introduced and so far the results are promising.

2.5.8 Challenges related to the implementation of the Children's Act

The Children's Act is a comprehensive legislation and introduces the full range of social services that are so desperately needed by vulnerable children and their families. The challenge is to ensure that the government provides adequate funding to enable its implementation. The struggle to raise funds often results in projects having to close down or prevents organizations from expanding their services to benefit more families. In rural areas where lack of these services is most apparent, there is a dire need of funding from the government. The government therefore radically needs to increase

funding to these organizations if the level of service provision is to meet demand (Proudlock and Jamieson: 2008. Online).

It is noted that the budget for the implementation of the Children's Act needs to be increased. Equally so is the need to ensure that the shortage of social service practitioners is addressed. A number of social service practitioners are required to implement many services and there is shortage of these practitioners. Proudlock postulates that the acute shortage of social workers in the country to deal with the increasing demands on the child protection system and the valuable role played by other social service practitioners, for example, child and youth care workers and community workers should be recognized (Proudlock and Jamieson: 2008: Online).

Parliament has made amendments to replace references to "social workers" with the term "social service professionals". Social service practitioners are to henceforth carry out the work that was confined to social workers. Proudlock believes that this may reduce the total cost of implementing the Act and also make services more accessible in rural communities where social workers are scarce (Proudlock and Jamieson:2008. Online). Unfortunately Proudlock only speaks on behalf of the Department of Social Development when she mentions the shortage of funding and of practitioners. The situation is no better with all other departments and stakeholders, which are also helping to implement the Children's Act.

The ineffective home/school communication which always leads to parental involvement is one of the shortcomings in the implementation of the Children's Act. Lack of reporting by parents and community members who are supposed to report cases and by practitioners who work with children, also poses problems to the implementation process of the Children's Act. Training programmes for professionals working with children is needed and such programmes should also motivate the former to report cases. Another shortcoming noticeable in the Fort Beaufort Education District is the lack of a strong well supported and well funded school health system. Support is needed from all angles, including the Department of Health, the private sector and NGOs and

this will enhance the implementation of the Act. All the shortcomings mentioned above disadvantage schools and retard the delivery process which in turn discourages the implementation of the Act.

2.6 SCREENING, IDENTIFICATION, ASSESSMENT AND SUPPORT

The National Education Department conducted an extensive research on what strategies can be used to implement the main element of an inclusive education system (Department of Education: 2008). Such a study resulted in the adoption of the National Strategy on Screening, Identification, Assessment and Support (SIAS). The aim of SIAS is to overhaul the then existing process of identifying, assessing and providing programmes for all learners requiring additional support. SIAS is divided into four important stages, that is, screening, identification, assessment and support.

According to this strategy, screening means an interview or a meeting with a parent by the teacher on the registration day of the child at school. The parent has to share with the teacher important background information about the child, for example, the child's needs, talents and aspirations. Such information will be recorded and kept by the school.

This approach makes no mention of what is or will happen along the line between two points, that is, after registration of learners until they exit. According to the researcher's experience, this is the period where new and unforeseen problems occur. Problems like the learner being raped, abused and the death of a parent, render the learner in need of care and protection. That is the time when a strong reporting system or strategy is needed.

By identification, the SIAS strategy is referring to the identification of barriers to learning and not identification of learners in need of support. The researcher's understanding of the concept 'Identification' is that it refers to both the identification of a child in need of care and identification of barriers to learning. Identification of learners in need of care

can be made possible through observing certain signs, symptoms or behaviours. It is important to start by identifying the person followed by his or her barriers to learning. With the remaining two stages, that is, needs assessment and support stages, there is nothing on which we differ (Department of education: 2008: SIAS).

2.7 CONCLUSION

Most of what has been discussed above shows interaction between various governmental departments, NGOs and the Department of Education. The sister departments and NGOs tend to interact with the Department of Education at district, provincial and national levels. This means that it is rare to have a direct interaction between stakeholders and schools. In actual fact, district and provincial Departments of Education should be facilitators of an interaction between schools and sister departments at cluster or forum levels.

CHAPTER 3

METHODOLOGY

3.1 INTRODUCTION

This Chapter focuses on research methodology which addresses the following: research approach, research design, population sample and sampling, data collection method and data analysis.

3.2 RESEARCH PARADIGMS

It is believed that every researcher is influenced by the way he or she perceives things or the world outside. These philosophical boundaries that guide researchers are called paradigms (Denzin and Lincoln: 2005: 163-188). Denzin and Lincoln believed that the research paradigm must go hand in hand with the purpose of knowledge and interest and that there are three types of paradigms available, that is, positivism, post-positivism and interpretive paradigms (Denzin and Lincoln: 2005: 163-188).

3.2.1 Positivism

The positivist paradigm of exploring social reality is based on the philosophical ideas of the French philosopher August Comte, who emphasized observation and reason as the means of understanding human behavior. According to him, true knowledge is based on experience of senses and can be obtained by observation and experiment (Stanford Encyclopedia of Philosophy: 2008. Online). Positivistic thinkers adopt his scientific method as a means of knowledge generation. Hence, it has to be understood within the framework of the principles and assumptions of science. These assumptions, as (Cohen et al: 2000:140) noted, are determinism, empiricism, parsimony, and generality.

‘Determinism’ means that events are caused by other circumstances; and hence, understanding such casual links is necessary for prediction and control. ‘Empiricism’ means

collection of verifiable empirical evidence in support of theories or hypotheses. 'Parsimony' refers to the explanation of the phenomena in the most economic possible way. 'Generality' is the process of generalizing the observation of a particular phenomenon to the world at large. With these assumptions, the ultimate goal of science is to integrate and systematize findings into a meaningful pattern or theory which is regarded as tentative and not the ultimate truth. Theory is subject to revision or modification as new evidence is found. Positivistic paradigm thus systematizes the knowledge generation process with the help of quantification, which is essential to enhance precision in the description of parameters and the discernment of the relationship among them.

Although the positivistic paradigm approach continued to influence educational research during much of the latter half of the twentieth century, it was criticized due to its lack of regard for the subjective states of individuals. It regards human behaviour as passive, controlled and determined by an external environment. Hence human beings are dehumanized without their intention, individualism and freedom is taken into account in viewing and interpreting social reality. According to the critics of this paradigm, objectivity needs to be replaced by subjectivity in the process of scientific inquiry. This gave rise to anti-positivism or naturalistic inquiry.

3.2.2 Post-positivism

Post-positivist work is based on the assumption that any piece of research is influenced by a number of well-developed theories apart from, and as well as, the one which is being tested. Post-positivism and critical theory are two research traditions which occupy the space between positivism and constructivism. Niewehuis theorizes that researchers working within a post-positivist paradigm follow critical realist ontology. The crux of critical realism is that "all knowledge is fallible, but not equally fallible" (Niewehuis: 2007:65). In other words these researchers believe that knowledge does exist but can never be perfectly understood.

3.2.3 Interpretivism/Constructivism

The interpretivism or constructivism paradigm developed out of the philosophy of Edmund Husserl's phenomenology and Wilhelm Dilthey's and other German philosophers' study of interpretive understanding called hermeneutics (Niewehuis: 2007:59). While the interpretivist or constructivist approaches to research have the intention of understanding the world of human experience (Cohen: 1994: 36), Niewehuis, suggests that reality is socially constructed. The interpretivist or constructivist researcher tends to rely upon the participants' views of the situation being studied and recognizes the impact on the research of their own background and experiences. Constructivists do not generally begin with a theory (as with positivists) rather they "generate or inductively develop a theory or a pattern of meaning" through the researcher process (Niewehuis: 2007: 59). The constructivist researcher is most likely to rely on qualitative data collection methods and analysis (as it will be the case with this study) or a combination of both qualitative and quantitative methods (mixed methods).

Most of the critique against the interpretivist research paradigm is directed towards the subjectivity and the failure of the approach to generalize its findings beyond the situation studied (Niewehuis: 2007:58). Human bias can never be underestimated nor can the notion of objectivity or subjectivity. Cohen et al, concede that qualitative research methodologies are criticized for being impressionistic (based on reactions or opinions rather than on specific facts or details), biased, insignificant, ungeneralisable and idiosyncratic, subjective and shortsighted. The subjective involvement of the researcher makes him or her share experiences with his or her research participants (Cohen et al: 2000:120).

This study will be based on an interpretivist paradigm since the intention is to understand the experiences of some of the stakeholders and also because the researcher will rely on the participant's views.

3.3 RESEARCH APPROACH

3.3.1 Quantitative and qualitative methodologies

The central knowledge interest in this study is to understand the perceptions of parents, community members, teachers and officials from various governmental departments as well as systems already in place in the implementation of the Children's Act in mainstream schools. What do they understand or perceive to be the course of failure by the stakeholders to report to schools, about children in need of care? Three research methods are available for use although the paradigm for this study requires the use of the qualitative method.

In quantitative research, an investigator relies on numerical data to test the relationships between variables. Generally, quantitative methods are fairly inflexible. With quantitative methods, such as surveys and questionnaires, for example, researchers ask all participants identical questions in the same order. The response categories from which participants may choose are "closed-ended" or "fixed". The advantage of this inflexibility is that it allows for meaningful comparison of responses across participants and study sites. However, it requires a thorough understanding of the important questions to ask, the best way to ask them, and the range of possible responses (Denzin and Lincoln: 2000:95). Mays and Pope postulate that quantitative research designs have an advantage in that they use numbers that ensures precision in measurement (Mays and Pope: 1995:110).

Mixed methodology uses a combination of quantitative and qualitative research methods. The data is often collected using the instruments for both quantitative and qualitative methodologies.

Qualitative research methodology is a scientific research term because it applies scientific methods in its investigations and also when solving problems or establishing novel facts.

Qualitative research consists of an investigation that seeks answers to a question, systematically uses a predefined set of procedures to answer the question, collects

evidence, produces findings that were not determined in advance and produces findings that are applicable beyond the immediate boundaries of the study.

Additionally, it seeks to understand a given research problem or topic from the perspectives of the local population it involves. Qualitative research is especially effective in obtaining culturally specific information about the values, opinion, behaviours, and social contexts of particular populations.

The strength of qualitative research is its ability to provide complex textual descriptions of how people experience a given research issue. It provides information about the 'human' side of an issue, that is, the often contradictory behaviours, beliefs, opinions, emotions such as social norms, socio- economic status, gender roles, ethnicity, and religion (Mays and Pope: 1995:110).

The researcher held consultations with teachers, a social worker and a school nurse in order to find out what these respondents have to say with regard to the implementation of Children's Act in mainstream schools in the Fort Beaufort Education District. It is important that the researcher adopts a methodological perspective that will allow the findings to develop from data itself rather than from preconceived, rigidly structured techniques. The study of the implementation of the Children's Act in mainstream schools allowed teachers, social workers and the school nurse to express their views and opinions freely.

Qualitative research approaches have their own critics. The following are some of the criticisms against qualitative approaches to research: Firstly, qualitative research is merely an assembly of anecdotal and personal impressions, strongly subject to the researcher's bias; secondly, it is argued that qualitative research is so personal to the researcher that there is no guarantee that a different researcher would not come up with radically different conclusions and, finally, qualitative research is criticized for lacking generalisability (Mays and Pope: 1995:113).

This study used qualitative approach because there is a need for textual descriptions of how stakeholders experience the implementation of the Children's Act in mainstream schools. Secondly, qualitative methodology will allow findings to develop from the data itself rather than from preconceived, rigidly structured techniques.

3.4 RESEARCH DESIGN

This study used a case study. The researcher used qualitative data in order to provide an analysis of the challenges that hinders the implementation of the Children's Act. Face to face interviews were held.

3.5 POPULATION AND SAMPLE

3.5.1 Population

Population is a theoretically specified aggregation of study elements from which the sample is selected (Babbie, Mouton, Vorster, & Prozesky: 2001:173). The population in a research study is the entire group of persons or objects that the researcher wishes to study (Gorard: 2003:57). It is that group (usual of people) about whom we want to draw conclusions. In this study we targeted the population of all the Fort Beaufort District schools, which is about 47 high schools and 238 primary schools. The target population was four schools (2 rural schools and 2 urban schools) all from previously disadvantaged communities. The research was conducted with teachers from the sampled schools, that is, one principal and four Life Orientation teachers from each school. Life Orientation teachers were chosen because they are teachers tasked to teach life skills to learners, and who deal with learner problems, advise and counsel when there is need. They interact with learners in need of care and protection at school and in this regard, they form part of the Children's Act implementation process.

3.5.2 Sample

It was difficult for the researcher to study all the people from which the researcher would draw inferences. In other words, not all members of the population could be interviewed or studied. The researcher found it also difficult to interview every member of the studied population hence a sample was needed. In this study, a sample was selected in each case from which data might be allocated and studied. Researchers believe that there is no clear-cut answer for the correct sample size; it depends on the population of the study and the nature of the population under scrutiny.

From the above population a sample was selected, that is, four schools, all secondary schools, five teachers from each school, one Social Worker and one school nurse from the Department of Health. Purposive sampling was used because the respondents from these diversified stakeholders would give at least a wide range of views, perceptions and attitudes on the implementation of the Children's Act.

Castillo states that purposive sampling refers to a judgemental form of sampling in which the researcher purposely selects certain groups or individuals for their relevance to the issue being studied (Castillo: 2009. Online). This study chose sampled schools purposely because of their composition and geographical nature; two from rural areas and two from urban areas. They were all public or government schools.

On the other hand, a well-designed sampling plan always contributes to both the reliability and validity of research findings. This view is confirmed in theories which hold that if sampling care is done in accordance with the standard of sampling plans, it should be possible for another researcher to re-replicate the findings which is an important aspect of reliability (Castillo: 2009. Online).

3.6 DATA COLLECTION METHOD AND INSTRUMENTS

A letter of introduction was obtained from the University of Fort Hare. The letter was sent to

the Education Director of the Fort Beaufort Education District to seek permission to carry out the study. Permission was obtained from all heads of schools where the study was conducted. Face to face interviews were held with principals and Life Orientation teachers in various schools with the help of prepared questionnaires. A letter explaining the purpose of the study and aspects of confidentiality and anonymity of respondents was presented to the schools and to respondents in particular. According to Leedy & Ormrod data is often collected using questionnaires, observations, documents, interviews and past records (Leedy, & Ormrod: 2005:147). However, in this study, the researcher collected information through the use of interviews, observations and document analysis.

3.6.1 Interviews

An interview is a face to face interaction between the interviewer and the respondent or a group of respondents (Wiersma: 1995: 409). This gives the opportunity to pursue responses of the respondents to clarify unclear, incomplete or ambiguous points. More information can be gathered through personal contacts. There are two main methods of interviews, that is, structured and unstructured interviews.

A structured interview (also known as standardized interview or a researcher administered survey) is a quantitative research method commonly employed in survey research. The aim is to ensure that each interview is presented with exactly the same questions in the same order. This ensures that answers can be reliably aggregated and that comparisons can be made with confidence between sample subgroups or between different survey periods.

Structured interviews are a means of collecting data for a statistical survey. In this case, the data is collected by an interviewer rather than through a self-administered questionnaire. Interviewers read the questions exactly as they appear on the survey questionnaire. The choice of answers to the questions is often fixed (close-ended) in advance, though open-ended questions can also be included within a structured interview.

An unstructured interview is another method of interviews where questions can be changed or adapted to meet the respondent's intelligence, understanding or belief. Unlike a structured interview, the latter do not offer a limited, pre-set range of answers for a respondent to choose from, but instead advocate listening to how each individual person responds to the question. This method enables the researcher to ask further questions beyond what he or she already had planned. In addition, it enables the researcher to clarify the meaning of the responses he or she received.

There are both advantages and disadvantages of unstructured interviews. The advantages are that the data collected is said to be valid as it is an exact account of what the interviewee said. The researcher can also find out important information which did not seem relevant before the interview and ask the interviewee to elaborate further.

The disadvantage of interviews in general is the "interviewer effect". This is when the interviewee response is affected by the presence of the researcher due to either his or her race, ethnicity, colour, or response to certain answers. Unstructured interviews can also be time-consuming as the conversation can go on and on. The data collected is prone to digression and much of the data collected could be worthless. (Kvale & Brinkman: 2008:81).

The researcher used a semi-structured interview to solicit data from the respondents. A semi-structured interview tends to be favored by most researchers as it allows respondents to express themselves at some length (Yin: 2003:88). The face to face interview was ideal for this study as it sought to go deeper and find out principals' and teachers' perceptions on the implementation of Children's Act in mainstream schools.

3.6.2 Observation

According to Niewehuis observation is the systematic process of recording the behavioural patterns of participants, objects and occurrences without necessarily questioning or communicating with respondents (Niewehuis: 2007:83). Mashall and Rossman view

observation as “the systematic description of events, behaviours and artifacts in the social settings chosen for the study (Mashall and Rossman: 1995:79). As qualitative data gathering techniques, observation is used to enable the researcher to gain a deeper insight and understanding of the phenomenon being observed (Niewehuis: 2007:84). The advantage of observation is that the behaviour is recorded as it occurs and that the observer being an outsider can see the phenomena about the situation in which those people involved may take for granted (Babie, Mounon, Vorster & Prozesky: 2001:270).

The following are types of research observation

Non-participant observation: The researcher is engaged in non-participant observation and takes the position of an outside observer. The researcher interacts with the research subject as little as possible. The primary goal on non-participant observation is to avoid the researcher affecting the way that the subjects act.

Participant observation: When researchers engage in participant observation, they become active members of the group they are observing. They talk, interact and play games with the group so that they gain a better understanding of roles in the group and how the group functions. Participant observation is much more involved than non-participant observation.

Partial-participant: is a mixture of non-participant and participant observation. Researchers participate in some but not all of the activities the group does; they switch between the role of an outside observer and an active participant (Babie, &Mounon, Vorster, & Prozesky: 2001:270).

In this study participant observation was used because the researcher becomes an active member of the group. The researcher talked and interacted with the group. The aim was to ask questions when necessary in order to gain a better understanding of the issues.

3 6.3 Document analysis

This study used document analysis as an instrument for collecting data. The documents

which were analyzed to solicit information on how the Children's Act was being implemented in mainstream schools are: the complaints and appeal documents; the restorative conferencing document; incident document; logbook; staff meetings; and Institution Level Support Team (ILST) minute book. All the above documents are found in schools.

The following are documents found with social workers, namely: programme implementation document, placement document, group session document, individual session document and victim offender mediation document. These documents gave an insight of what takes place in schools and in the Department of Social Development since most of the data is primary data. Primary data are those collected when things happen, that is, they are original sources. In these documents the researcher looked for any piece of information that can give a better understanding of the roles of the stakeholders in the implementation of the Children's Act and also for records with information about learner activities. Documents need to be carefully used and should not be accepted as literal recordings of events that have taken place.

Care should be exercised when a researcher uses document analysis. The researcher should approach a document with a critical mind in terms of both the meanings that the author intended to produce and the perceived meaning as constructed by the audience in differing social situations.

3.7 DATA ANALYSIS

Qualitative data was interpreted once all data was collected, captured, processed and results condensed. Qualitative data was analyzed thematically. Therefore data was analyzed and arranged in a logical and chronological order. Categories were identified that can help cluster the data into groups. Interviews and observation were examined for specific meanings they might have in relation to the implementation of the Children's Act in mainstream schools.

3.8 TRUSTWORTHINESS

Lincoln and Guba state that the aim of trustworthiness in qualitative research is to support the argument that the researcher's findings are recognized. The researcher increased trustworthiness by considering issues such as credibility, transferability, dependability and conformability (Lincoln and Guba: 1985:290). Data from the respondents was read to respondents to confirm whether what was written reflected their views and perceptions.

CHAPTER 4

DATA ANALYSIS AND DISCUSSION

4.1 INTRODUCTION

This Chapter presents the exploration of factors that currently hinder the implementation of the Children' Act in mainstream schools. It seeks to show the kind of relationship that exists between schools and other stakeholders, systems in place at selected schools and whether they are well structured and established or not. It also tried to answer questions pertaining to poor reporting of learners in need of care by parents and communities to school. A number of documents used by schools and social workers were looked at and analyzed and observation made of a workshop conducted by district officials for ILST coordinators. The following themes emerged.

4.2 THEMES AND RESPONDENTS' VIEWS

4.2.1 Theme one: Demographic information

The sample for this study has its own unique demographic variables. Twenty-two respondents formed the sample for this study. They were twenty teachers, one social worker and one school nurse. The table below contains the information from respondents using pseudonyms.

4.2.1.1 Age

For the sample, ages ranged from twenty six (26) to sixty four (64) years. Eleven women and eleven men participated in the study. Women were between the ages of twenty eight (28) and forty two (42) and men between twenty six (26) and sixty four (64). A noticeable tendency or trend with this sample is that the older the respondent, the more professional experience he or she has. The more experience the respondent has

the more he or she is exposed to many school programmes and learner problems and in the end he or she is able to deal with and solve these problems.

Table of respondents' ages, pseudonyms, number of learners per school, years, gender, number of children per respondent and educational qualifications

Age	Name	No of learners per school	Years	Gender	No of children	Educational qualifications
25-29	Noluthando	282	28	Female	1	BscHons
	Sixolise	282	26	Male	2	BscHons
30-34	Masixole	390	31	Male	1	BA, SDT
	Thozama	School nurse	33	Female	-	B. cur
35-39	Nyibiba	450	37	Female	2	BA, HED
	Chicks	390	35	Female	-	BSC, HDE
	Malibongwe	282	36	Male	1	B. Com
	Soso	400	35	Male	2	BA, STD
	Bhele	400	35	Female	2	BA, HDE
	Soshi	Social worker	36	Female	2	BSOC Sc
40-44	Mbotyi	86	40	Female	1	Std 10, STD
	Phakie	450	43	Female	1	BA, HDE
	Mpuka	400	42	Female	2	BA, HDE
	Star	400	42	Female	2	BA, HDE
	Bhura	400	44	Male	2	Std 10, STD
	Vuvu	390	40	Female	1	BA, STD
	Rooi	390	40	Male	2	Std 10, STD
	Sphelo	390	44	Male	2	BA. HONS
45-49	Athi	333	47	Male	4	BED
	Rider	86	49	Male	2	BA, HDE
50	Hamilton	282	64	Male	5	BED
	Ndlovu	450	52	Male	5	Std 10, STD

4.2.1.2 Number of children

Eleven respondents have two (2) children each, seven (7) have one each, two (2) have five (5) each, one (1) has four (4) and one (1) has no child. Respondents with own children are used to handling children's problems within their households which means that they are able to cope with and are comfortable when handling similar problems at school or at work.

4.2.1.3 Number of learners per school

The number of children per school can influence the performance of teachers in dealing with learner problems. Identification of learners in need of care, the process of assessing needs and of giving support to those identified may depend on teacher learner ratio. Individual attention prevails where there are fewer learners in a classroom.

4.2.1.4 Academic and professional qualifications

The majority of respondents have both degrees and professional certificates. Some have matriculation certificates and professional certificates. All these respondents qualify to teach at high school level. The more they become educated, the more they specialize on how to handle school and learner problems. Training to deal with learner problems is gained through courses and workshops which means teachers furthering their studies in specific fields.

4.2.2 Theme two: Systems in place to facilitate identification of learners

Participants were asked to comment about structures and systems in schools that can facilitate the process of identification of learners in need of care.

Sixteen respondents (80%) complained about *non-existence of structures* in schools to facilitate the implementation of the Children's Act. According to these respondents, most

of the Fort Beaufort schools have not yet established structures like Institution Level Support Team (ILST) and peer group structures. These structures are important in the implementation of the Children's Act. Such structures help schools to deal effectively with learner problems. They investigate, come up with information, try to sort things out and eventually resolve learner problems. One respondent (a school principal) confessed that he finds it difficult to resolve learner problems. When the researcher investigated it was evident that the school does not have formal structures like ILST and peer groups. An investigation into learner problems is done by him or a delegated teacher. There are no groups or staff members trained to do the job. Four respondents (20%) stated that some schools have these structures but they are not fully operational because of the lack of training and knowledge. Lack of training and knowledge and the absence of these structures in schools is a challenge that makes it difficult to harness the values of the Act. This shows that the Department of Education is failing to train teachers in schools.

It was noted that some participants were still conventional in their approach. They perceived parents as being the only channel or way to bring to the attention of the school any information about the child. They identify learners only after they have been reported by their parents.

One respondent mentioned the following structures as ones that can be of help in the identification process: learner representative councils, school sporting bodies and peer groups. These structures were not mentioned by many respondents, yet they are very important. Behavioural patterns of learners, cleanliness, punctuality, discipline and performance in extra-mural activities can easily be identified through these structures. Peer groups are designed specifically to deal with behavioural and emotional problems among learners. A respondent stated that in his school peer groups undergo training on the above issues so as to equip them. Three respondents mentioned school documents as another system that can facilitate the identification process since these documents contain important information about learners.

4.2.3 Theme three: Collaboration between schools, departments and NGOs

Participants were required to dwell generally on the existence or non-existence of collaboration between schools and sister departments, in particular, the Department of Health and the Department of Social Development.

Four principals (100%) and fourteen Life Orientation teachers (70%) complained about an acute lack of collaboration between schools and various government departments. They cited collaboration as a challenge that needs to be tackled. They all understood the importance of the work of these departments to schools. In addition to assisting both the Department of Education and schools, government departments should also be involved in the implementation of the Children's Act. They agreed that most school referrals are to the Department of Health and the Department of Social Development since Fort Beaufort schools do not have their own school nurses and school social workers. Twelve respondents (6%) argued that sister departments work independently and exclusively and there is a very thin line linking them with the schools.

Participants were also asked to comment on the strategies that can be employed to improve collaboration between the school and other sister departments. Respondents suggested two strategies to improve the situation. The most popular one was the establishment of the inter-departmental team or forum that will work and strive to forge collaboration. Thirteen respondents (65%) suggested that these forums be established. This inter-departmental strategy is based on the philosophy of inclusivity. Inclusivity means bringing all departments concerned to interact and work closely together. The free flow of information, as it was alleged by one respondent, is being blocked by the confidentiality clause that exists within the departments. Respondents suggested that such a clause be removed.

4.2.4 Theme four: Involvement of parents and the community

When it is alleged that an act has been committed concerning the violation of the children's rights, it must be reported to the relevant person or office. Children have a right to be cared for and to feel safe. Perpetrators are often known to children. They could be people abusing their positions of trust by abusing children when they are actually supposed to protect them. They could even be parents, other family members, friends or neighbours. This, however, does not mean that all those in positions of trust abuse children. Parents and caregivers must always act in the best interest of the child. Child protection starts at home and within one's own family and moves on to the school environment. Participants from the four schools responded to questions about reporting and parental involvement in schools.

Eleven respondents (55%) felt that some parents are not interested in the education of their children. One respondent remarked that parents see the school as a crèche, where they leave their children thinking that they will be taken care of. Eighteen respondents (90%) confirm that the involvement of parents in school activities is for certain roles and purposes, for example, for governance and fundraising purposes. Therefore this does not necessarily promote reporting or sharing of information between parents and schools. They become involved as members of the governing councils or come to school for parent meetings. This means they only come following an invitation by the school. One participant stated that at his school parents seldom come, even when they are invited to attend to their children's problems. Teachers are forced in such circumstances to deal with learner problems alone or without assistance from parents. The participant went further to mention that in one instance the school was in need of help from a biological parent whose child was supposed to get a grant and only needed identification documents from the parent. The parent could not come forward and that resulted in the required documents not being found. By comparison, in former model C schools, full participation by parents is evident. Such full participation goes hand in hand with reporting and better communication. It was stated that community members likewise have the same tendency.

Possible reasons were given by respondents on why reporting by parents and communities is poor. Among the reasons cited were parents' fear of labelling their children by community members or by teachers and other children at school. Protecting the victim from the perpetrator is another reason put forward by some respondents. They felt that sometimes perpetrators are aggressive and are not easily arrested by police. In such a situation, they remain around and are dangerous to the victim and his or her family.

Some parents did not feel necessary to report incidents about their children because they felt that the structures to which they reported might not take it seriously or respond appropriately. For the above reasons parents choose not to report such cases to schools.

4.2.5 Theme five: Involvement of the Department of Health in schools

Section 28 of the Constitution of the Republic of South Africa 1996 provides that every child has the right to basic nutrition, shelter, basic health care services and social services.

The Department of Health does have school nurses who are supposed to be linked up with schools but only one allocated for the Fort Beaufort Education District. The school nurse is employed by the Department of Health and subject to the supervision of the Department with input from local or district school officials. Under the school nurse intervention programmes, each public school district is supposed to have a school nurse, known as the Health Service Coordinator. One school nurse was interviewed in the Fort Beaufort Education district. The respondent cited the functions prescribed by the school nurse intervention programme. The intervention programme offers specific preventive services and other additional services appropriate to each grade level, age and maturity of the learners.

4.2.5.1 Services/functions

The following are a few functions among many mentioned by the school nurse:

Reproductive health education and referrals to prevent teen pregnancy and sexually transmitted diseases; health education including abstinence. Child abuse and neglect identification and hearing and vision screening to detect problems which can lead to serious sensory losses and behavioural and academic problems is another function. Lastly, the nurse oversees alcohol, tobacco and drug abuse education to reduce abuse of these substances. This includes coordination of services for handicapped children in order to ensure that these children receive appropriate medical assistance and are able to remain in public school.

Another function that was mentioned was nutrition education and counselling to prevent obesity and other eating disorders which may lead to life-threatening conditions, for example, hypertension. This service involves assessing, planning, implementing and evaluating programmes and other school health activities, in collaboration with other professionals.

4.2.5.2 Challenges cited by the School Nurse

Among the problems faced by the school nurse are lack of financial resources and staff. According to the respondent, there is not enough finance to cover the programme. More vehicles to travel to various schools are needed. Presently only one vehicle is available for the use not only by the nurse but also by other district officials. Referrals and certain special programmes need or require more finances.

Another problem faced by the school nurse is lack of human resources. The school nurse runs the office for the programmes of the district alone, assisted by few administrative staff. The district is made up of high schools, primary and pre-primary schools. To visit schools, collect information, access information, give support and make

reviews, requires a sizable staff. The number of employees in the office is by far not enough for the workload.

4.2.6 Theme six: Involvement of the Department of Social Development

Children have rights to be protected from physical harm, from all kinds of physical and mental violence, injury and abuse. They have to be protected against neglect, abuse and punishment by parents and caregivers. They need to be protected against sexual exploitation and sexual abuse and against harmful substances and drugs. That is the duty of the Department of Social Development and its social workers.

The Principal Social Worker was asked to indicate whether there are school social workers in the district. He indicated that the district does not have school social workers who deal specifically or solely with schools. The department has a 'General Social Worker' who does not deal with schools only, but also does general social work.

These social workers are attached to the district, that is, they work from the district office. Parents and learners refer themselves to the social workers in the district office. This means that social workers attend to cases brought to them by parents, learners and schools. They sometimes go to school when invited and mostly for the following reasons: to conduct awareness campaigns; when a learner has committed an offence either in school or communally; when a social worker has been instructed by the Children's Court to conduct an investigation; and sometimes when a learner has been sentenced to do communal work and has to be monitored.

The Principal Social Worker was also required to comment on the scope and functions of a social worker assigned to deal with or work with schools. Since they had already indicated that they do not have a school social worker, the Principal Social Worker agreed to comment on the scope and functions of social workers pertaining to the school programmes.

4.2.6.1 Functions

One of many functions that social workers perform within schools is to provide counselling services to children and adolescents. They also deal with cases concerning learners, which are reported by schools, parents and communities. They deal with cases concerning parents, which are reported by learners, schools and communities. They conduct awareness campaigns in schools and communities about drug abuse and neglect of children by parents or caregivers. The Principal Social Worker mentioned that their main function is to see to it that they do applications for grants, process and issue them. Issuing food parcels is also part of their functions.

4.2.6.2 Challenges raised by the Principal Social Worker

The Principal Social Worker raised the challenge of social workers not residing inside the institutions. Not residing inside the institutions does not allow them sufficient time with learners to conduct their programmes; to observe children while at school, to participate in school policy formulation and therefore they are unable to influence school policies.

Non-co-operation of schools was also reported as a challenge. The following are the ways by which schools show non-co-operation: when schools are required to furnish social workers with information, they are not cooperative or take time to do so. Such behaviour ends up delaying the process of helping learners or parents. Non-cooperation is also evident when parents are required to release the child for investigation or counselling by the social worker, or when schools are asked to gather information about the child and to write reports.

Lastly, there is the non-cooperation of parents. Parents were also accused of non-cooperating with social workers. Parents are sometimes reluctant to come forward and share information about their children or to stand up for them. The Principal Social Worker cited the challenge of lack of resources, both physical and human. There are

few social workers within the district to run the show and this results in a shortage of human resources which results in overloading. There is not enough funding by the Department of Social Development to buy vehicles. Vehicles are used by social workers to travel from their offices to various schools and communities to attend to problems.

4.2.7 Theme seven: Children's Rights violation

South Africa is signatory to various international declarations on the promotion and protection of the rights of women and children, such as the Convention on the Rights of the Child (1989), the Convention on the Elimination of All Forms of Discrimination against Women (1979) and the Declaration on the Elimination of Violence against Women (1993).

The South African Constitution, which is the supreme law of the land, guarantees human rights to all people. This includes children, who are defined as persons below 18 years. Therefore, all children in South Africa, including those in mainstream schools, have rights. Children have the right to survival, to have their dignity respected and to develop to their full potential. They also have the right and responsibility to help build a better world in partnership with adults, that is, parents, educators and other professionals.

Participants were asked to comment on children's rights violations in their schools, and about awareness campaigns conducted. Respondents were of the opinion that blatant violations of children's rights across the district were rife. Children face a number of problems, including lack of a comprehensive legal system at schools to protect them, particularly from child sexual abuse, corporal punishment and child domestic labour, just to mention a few.

All these occur despite the fact that South Africa is among states that signed and ratified the UN Convention on the Rights of the Child (1989). Parents believe that the budgetary

allocation for child protection is minimal and whatever initiatives they see are driven by Non Governmental Organizations.

There is nobody responsible for promoting and protecting the rights of children within the Department of Education, that is, at the school and district levels. The bodies responsible for this are the Department of Justice, the Department Social Development and Non Governmental Organizations. Although one can raise several questions about the performance of the Department of Justice and Social Development, at least there is implementation and coordination mechanism that is available.

Unfortunately, according to the respondents, there is nobody at the school and district levels responsible for the coordination or liaison with other departments on the issues of children's rights. Similarly, there is no follow-up on many of the cases identified in violation of children's rights by schools within the district.

The Department should set up systems at the school and at the district level for this purpose. These structures should have powers to monitor and protect children's rights within schools and across the district in order to ensure minimum standards of protection in the light of the Constitution and international obligations and also to advocate a policy of systematic and progressive improvement of children's welfare.

4.3 DOCUMENT ANALYSIS

4.3.1 Identification of learners in need of care in school documents

The researcher listed a number of documents used by schools. Not all of them were found in the sampled schools. *Complaints and appeal document*: this is the document used to register complaints and appeals from learners. In this document the nature of the complaint is stated, the action taken by authorities is recorded, as well as the feedback given. The document is signed and dated by the school authorities and the

complainant learner. The document was available only in one school. It gave the researcher evidence of complaints being made by learners.

Restorative conferencing document is a mediating tool when there is a dispute between learners or between learners and teachers, and a third person mediates. It records proceedings and how the case was finalized. The researcher managed to get hold of this document in two schools. This document shows evidence of problems encountered by schools.

Reportable incident document contains the following information, that is, the name of the child; the nature of the alleged incident; a short description of the alleged incident; names of perpetrators, victims and witnesses. It also indicates places where the incident took place and date. The presence of this document in some schools shows that all is not well in these institutions.

ILST minute book was found in only two schools. The document keeps records of minutes of ILST meetings. The document shows important decisions about learners (learners with problems) taken by the ILST, the action taken, referrals etc. From these documents, the researcher could get a sense of the situation that obtained in each and every school.

4.3.2 Collaboration between schools and stakeholders

The Log book is an important document for all institutions. It is indicative of many things. In it visits by governmental officials, non-governmental organization officials, parents and community members are recorded. In this document the researcher could detect when social workers last visited the school and when the school nurse was last seen at the institution and the purpose of the visit. Major behavioural problems by learners and incidents need to be recorded in this document; thus it is easy to detect everything which takes place in the school.

4.3.3 Documents from the Social Worker's office

The Programme implementation document contains diversion and therapeutic programmes. Diversion programmes contain school attendance order, community service order, positive peer order and family order. All the aforementioned orders occur when the child has committed an offence but the offence does not warrant imprisonment. For example, school attendance order means that the child is sentenced to attend school regularly. His or her school attendance record is to be monitored by the social worker and school authorities. If he or she fails to comply, then placement to jail will be an option.

Therapeutic programmes offer therapy to children who have diverse problems, for example, substance abuse, anger etc. Both diversion and therapeutic programmes are recorded in the programme implementation document. When perusing this document the researcher could get a sense of what happened. Within the office of the principal social worker in Fort Beaufort District, this document was found with all the referral information.

The Placement document gave the researcher an understanding of where and when children have been placed. It contains a list of foster homes, places of safety, child and youth care centers where children in need of care and protection can be placed. It contains a lot of information about the child. Documents included in the placement document are child documents like medical records; learner's records and birth certificates; and also parent documents such as death certificates, identity document and marriage certificate.

Family group conference document is utilized when relationships are sour within the family. The social worker acts as a mediator. Information about mediation is recorded in this document. Evidence about placement arrangement can also be found in this document.

The researcher had enough time to go through many of these documents. It was evident that the social workers are doing their job but from their offices and not from the schools. It was also evident that parents and children have to refer themselves if they need help. It was clear from the above documents that the main function of social workers in the district is to dish out grants to needy learners, parents and communities.

4.4 OBSERVATION OF WORKSHOP CONDUCTED BY ILST COORDINATORS

This was the first workshop conducted in the district: The workshop was on the implementation of the National Strategy on Screening, Identification, Assessment and Support (SIAS). It was held on the 14th June 2011. The workshop had three main objectives; namely; explanation of inclusive education, elaboration on SIAS to ILST coordinators, and implementation of SIAS at school. All the above objectives were thoroughly explained by the facilitators from the district office (inclusive education) and time for questions and answers was given. The above issues were also discussed in groups and the feedback from each group was further discussed at a plenary session.

A number of challenges were raised by various groups participating in the workshop. One was identified as lack of time for teachers to implement SIAS. Teachers are pre-occupied by their core business that is teaching. While teaching demands a lot of time, SIAS also demands time and administration.

ILST coordinators believed that there is not enough staff available at schools to do the work demanded by SIAS. They suggested that Child and Youth Care Workers be employed by the Department of Education in order to take care of SIAS. The issue of poor communication between schools and sister departments was raised as a challenge facing schools. After lengthy deliberations, coordinators agreed that there is a need to forge collaboration with other government departments.

The District Based Support Team put forward the following challenges: Lack of financial resources; for example, lack of vehicles to visit schools and homes in order to facilitate

referrals. The government does not have money to pay for private doctors and private consultations. Lack of human resources, that is, both administrative staff and field workers, was also highlighted.

4.5 DATA COLLECTED AND THE PROVISIONS OF THE CHILDREN'S ACT

The analysed data links negatively with the provisions of the Children's Act, for example, section 18 of the Children's Act provides for proper parenting for all children. A parent or other person who acts as a guardian of a child must assist or represent the child in administrative, contractual and other legal matters. Collected data shows lack of commitment and responsibility from parents towards school parent programmes and school involvement. Parents are not readily involved in school activities.

Section 5 states that in order to achieve the implementation of this Act, all organs of the state at the national, provincial and, where applicable, local spheres of government involved with the care, protection and well being of children must co-operate in the development of a uniform approach aimed at coordinating and integrating the service delivered to children. This section requires collaboration between the departments in order to achieve service delivery. Most respondents complaint about lack of collaboration between the Department of Education (schools) and other departments. They maintained that a new approach that will forge collaboration is necessary.

Section 155 of the Children's Act requires reporting of a child in need of care by any person on community member to schools and departmental officials. Lack of reporting which is evident in the data collected, negatively affects the implementation of the Children's Act. Respondents highlighted that parents and community members are not always keen to report children to schools. Such behaviour contradicts this provision of the Act.

According to Section 212 of the Children's Act, service delivery activities by stakeholders are to be recorded and documented to ensure regular monitoring,

evaluation and quality of care. The section goes further to list documents or files required by social workers. Every child is supposed to have his or her own permanent file in which all social work interventions, life space/child care interventions, health related interventions, psychological interventions, occupational therapy and educational interventions are recorded. This Section also requires that standardized registers be implemented to ensure uniform service delivery. This applies to all departments. The following standardized registers are to be implemented, that is, admission register, allocation register, behaviour management register, incident book, reportable incidents, logbooks, release register and others. Document analysis in schools shows that not all the sampled schools had these registers and even those that managed to have them, they were not properly kept. The need to improve the situation still exists.

4.6 CONCLUSION

The evidence drawn from the participants' responses showed that members of staff in many schools are not well acquainted with the way the Children's Act should be implemented in schools and the systems at school that can facilitate the implementation of this Act.

Evidence showed that parents are not fully involved and are not aware of their responsibilities towards the school. There are challenges that impact on all stakeholders which result in not playing an active role in the implementation of the Children's Act. This implies that there is still a lot to be done in finding new strategies that will assist in the implementation of the Children's Act and in equipping stakeholders to play a meaningful role. Chapter 4 served as a basis for the next chapter which will focus of conclusion and recommendations drawn by the research.

CHAPTER 5

RESEARCH FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.1 INTRODUCTION

This Chapter will discuss the findings and proceed to make recommendations to those who may be concerned with the education system. It will attempt to answer questions about the challenges that hinder the implementation of the Children's Act in mainstream schools.

5.2 RESEARCH FINDINGS

It is evident that a complete shift of focus will be required of parents, teachers, sister departments, NGOs and community members if the implementation of the Children's Act is to be successful. It is critically important that sufficient resources and funds should be made available in order for teacher to receive adequate and suitable training relating to learners in need of care. In order for social workers and school nurses to deliver services they also need both physical and human resources. This requires commitment by the government regarding support and funding.

The answers of the respondents also depicted a lack of collaboration and assistance to schools by various stakeholders. It is evident that various stakeholders know very well their responsibilities towards learners and schools. They know that they are supposed to develop collaboration between them and the schools in order to promote and encourage information sharing among them. What is evident is exclusion, which is caused by a lack of coordination and communication among the stakeholders involved.

The unavailability of proper working systems to operationalize schools has also been identified as a problem by respondents at some schools. These include structures that are supposed to be established, for example, ILST, peer groups etc. In three schools

the researcher found through respondents that there are no ILSTs. Two schools did have peer groups or educators something that hinders heavily the implementation of the Children's Act. Creation of these peer groups and ILSTs in schools is to be addressed if the department is to achieve proper implementation of the Children's Act. They also include documents from various departments and schools that are sometimes not available, and even if available, not properly recorded or kept. These documents provide important information and are a source of assistance.

There is also a need to emphasise the establishment of partnership between the school and the family. Teachers complain about negative attitudes of parents towards parent involvement programmes in schools. Sometimes this discourages the process of identifying a child in need of care.

All these factors, when brought together, hinder the process of implementing the Children's Act. If these factors are not addressed the implementation of the Children's Act is unlikely to be achieved. They retard the process of giving help and life to children in need of care and protection. It is hoped that recommendations will shed light on the shortfalls identified in this study.

5.3 RECOMMENDATIONS

The recommendations will attempt to provide means and ways that aim at identifying learners in need of care and protection in mainstream schools. The emphasis here is on identification of learners in need of care which SIAS refers to as the screening stage or stage one out of four stages. Recommendations are based on what transpired from the interviews conducted, documents analyzed and observations made. They are responses of what participants said during the interviews.

The recommendations acknowledge the role played by educators, parents, peer groups; the Departments of Health, Social Development, and Justice and Non-Governmental Organizations in the process of identifying learners in need of care. They have been

developed through literature review, research in the Fort Beaufort Education District schools, interviews with District officials (inclusive Education section) and consultation with local sister departments. It is believed that the recommendations will allow large numbers of children of mainstream schools who are in need of care and are not identified to be given a chance to exercise their right to basic education and to access the necessary support.

The recommendations suggest new elements to education support system, including child and youth development teams or multidisciplinary teams at a cluster level, thus aligning services at the lower level. The above elements can be added to the already existing ones, such as, district based support teams, institution level support teams etc.

In summary, this means that recommendations are about identification of learners in need of care through reporting by parents and community members, the establishment of systems that will enable the identification process, and lastly, the establishment of multidisciplinary teams at a lower level to align services.

5.3.1 Identification of learners in need of care

For the identification of learners in need of care the researcher proposes the following:

- Reporting or sharing of information by all stakeholders, which is better facilitated by Multidisciplinary Team (MDT) and Awareness campaigns;
- Peer educators involvement;
- Institution Level Support Team (ILST);
- Screening at school.

One method of screening is recommended for this purpose, that is, developmental assessment method. All the information gathered in this process will be transferred to learner profiles. Learner profiles will make it easier for schools to identify learners in need of care and develop their individual development plans (IDP) for learners if necessary.

In order to make it possible for the establishment of multidisciplinary teams, much collaboration is needed with sister departments. The involvement of the Departments of Health; Social Development and Justice is important. These departments interact with children on a daily basis. They have all the information about the child that schools do not have. Such information needs to be shared with schools and thus it is important for schools and sister departments to interact.

Parents are the primary source of information about their children. Schools need to interact with them in order to gather information for the learner profile. Sometimes parents are not free or keen to divulge such information. In such a situation community members can be helpful. They are people who are always witnessing plights of learners in their communities. They have much information about school learners. School learners are community members before they become learners. It is also important to have interaction with community members in order for the school to be able to extract information for the benefit of the learners.

Non-Governmental Organizations are found within the community. Most of them have association with school learners. They have an interest in them and, as a result, they gather information about them. Such information, when shared with the school, can be helpful. For example, many learners in communities are members of different churches. This means that churches can be a reliable source of information.

Peer groups need to be mentioned. Child to child information sharing is the best method of extracting information. It is easier for a child to divulge information to another child rather than to parents, community members or the school.

All the above stakeholders need to come together and forge a collaboration platform in order to facilitate reporting and information sharing.

5.3.1.1 Multidisciplinary teams

Teachers may no longer find themselves working alone or exclusively with members of their own profession, but may also be working with multidisciplinary teams composed of nurses, psychologists, parents, community members and social workers.

However multidisciplinary working is not a new concept: members of some professions already work in the company of others and have done so for many years (Huebner and Gould: 1991. Online). The new emphasis is on working together to deliver a co-ordinated and integrated service to end-users, be they pupils in schools, members of the community, or patients in the health service.

Multidisciplinary teams will bring together in single team professionals from a range of services. Improved co-ordination of existing services is not enough to achieve the fundamental improvement in children's lives which the government is seeking. This will require radically new approaches. 'Inter' working appears to involve two professions only (Carpenter: 1995. Online) but becomes 'multi' if more than two groups are involved. By way of illustration: the working relationship between a nursery teacher and nursery nurse would be interdisciplinary; whereas a primary school teacher, a nurse, a parent and a social worker could form a multidisciplinary team. Working in a multidisciplinary team is one way of addressing complex cross-cutting social and educational issues as members of different professional and occupational groups, including education, work towards the social inclusion targets.

The establishment of MDTs will enhance collaboration between different departments and also ensure that the needs of children are addressed. This will also provide a platform where alterations can be made to the individual development and care plans of learners. Members of these forums will be:-

- Officials from the District-Based Support Team (DBST);
- Coordinators from the Institution Level Support Team (ILST);
- Social workers from the Department of Social Development (DoSD);

- Non-Governmental Organizations (NGOs);
- Parents;
- School nurses from the Department of Health (DoH);
- Community members.

This model will ensure that information about learners is shared and that the child in need of care receives support. It is also suggested that due to the workload on the part of educators, the employment of Child and Youth Care Workers for schools be considered by the Department of Education.

5.3.1.2 Awareness campaigns

Emanating from the responses and also recommended by the researcher is the issue of awareness campaigns in schools. These awareness campaigns are done for the benefit of learners, teachers, parents and community members. They are organized, systematic efforts through various communications media to alert the targeted groups of a given area to anything of significant concern. The following are some of the areas in which awareness campaigns can be conducted, that is, teenage pregnancy, drug abuse, girl trafficking and bullying at school. To achieve this schools require to utilize both human and financial resources from sister departments and NGOs. Specialist or professionals that are needed to give talks on various topics or areas of concern can be sourced from other departments and NGOs. Awareness campaigns are sensitizing the target groups about dangers in areas of concern. They give clarity to both perpetrators and victims.

5.3.1.3 Peer educators involvement

Peer educators are learners trained to educate others on various life issues. Schools can make use of peer educators in the classroom, by asking them to deliver lessons on HIV/ Aids or teen pregnancy in life orientation classes or ask them to lead talk groups on these subjects. They are also trained to recognize a peer in need as they are trained

to be aware of the warning signs of troubled youth, so that they can approach them and refer them for help where possible.

The peer educators are also trained to volunteer acts of service, such as doing a school cleanup. They make great advocates for resources and services, such as writing petitions. An example is writing and presenting a petition to the local police station to improve rape counselling services. They also do awareness raising activities, such as conducting a community drive to promote Voluntary Counselling and Testing(VCT) so that people know their status and are better able to protect their health.

5.3.1.4 Institution level support team (ILST)

ILST is a collaboration process designed to bring regular and special education staff together to develop ways to assist identifying learners in need of care and in helping meet the diverse needs of its learners. It is necessary that the pre-referral steps be taken and alternative strategies for learners who are experiencing difficulty in school be tried before referral is made to special education.

5.3.1.5 Screening to identify learners in need of care

The following are foundations of developmental assessment that can be considered to identify learners in need of care.

5.3.1.5.1 Development

All human beings develop throughout their life. This development process encompasses physical, social, emotional, cognitive, spiritual and unique personality development. During childhood (0-18 years), children develop the foundational capacity that will take them into adulthood. All young people develop through similar phases, such as early childhood and adolescence, but each child develops at his or her own pace, depending

on whether his or her needs are met and whether he or she can cope effectively with the challenges they face.

There are two broad categories of needs which all children have, that is, basic needs which include food, water, a safe place to stay and clothing and universal needs which include four main groups of needs for which we can use different words.

5.3.1.5.2 Circle of courage

Universal needs form the circle of courage which is the model of assessing the development of the child. It detects gaps in the process of assessing the child. The following Table contains the list of universal needs which can hinder the developmental process of the child if not met.

List of universal needs

Belonging	Mastery	Independence	Generosity
Attachment	Achievement	Autonomy	Altruism
Significance	Competence	Personal power	Virtue
Ways of describing these in terms of meaning for the child			
I am important to someone	I am able to solve problems	I am in charge of my life	I am considerate to others
How to use these group for describing need areas in the IDP			
Trusting relationships and a sense of being important to others	Ability to solve everyday problems and longer term challenges	Make responsible choices and have self control	Kindness and consideration for others

Source: Du Toit (2005:3) Restorative Pathways for Success (RPS Assessment).

5.3.1.5.3 Sources of information

The child, the family and professionals can be sources of information. Schools may use as many of these sources as possible in the timeframe available for the assessment.

The more sources which can be cross-referenced, the more accurate the assessment is likely to be. The learner however, should always be the key source of information. One should aim to gather as much information as possible from the person who spends the most time living and working with the learner.

- Using child-centered, developmental methods, information can be gathered directly from the learner ensuring that the child perspective is central to the information and plan.
- Using child-centered development methods, information can be gathered directly from the significant adult in the child's life (including family/guardians, teachers, elders and anyone else that the child considers to be significant).
- Information can be gathered from any professionals who have directly intervened, assessed, or who are treating the learner (including social workers, police, magistrates, medical professional, child and youth care workers and psychologists). Such information may be in the form of reports, documented discussion, discussion with professionals, or tests).
- Appropriate framework can be used as a guide for eliciting and analyzing the information.

5.3.1.5.4 Context

Unless there is good enough reason not to do so, the assessment should be carried out in the child's daily living environment. If a family is being assessed, then assessment takes place where the members of the family dwell.

5.3.1.5.5 Creating safe contexts

In order to be able to establish the most honest exchange of information, it is necessary to establish as much trust and rapport with the learner and his or her family as possible within the time available. This means that the learner should feel emotionally, physically and socially safe within the environment in which he or she is being assessed. Connecting with troubled learner often means that one should be able to see beneath superficial behaviour and feeling of pain, to the strength and potential, and the depth of developmental needs. Without connecting with the learner, there is no legitimate or ethical context in which one can be expected to receive personal and often very painful information.

5.3.1.5.6 Risk and resilience assessment

The assessor is required to describe the past, immediate and possible future challenges faced by the learner and his or her family. He or she is also required to describe the context in which these take place or have taken place such as the home, hostel, unit, school, classroom; and the problem context. The problem context which may be present or has been present in the past, such as abuse, self-abuse, neglect, substance abuse, bullying at school, violence in the community and home, lack of or inadequate food, homelessness, conflict with the law, poverty, isolation from community and resources, and illness.

The class teacher should describe the ways in which the child and significant adults think about these challenges and about themselves in relation to these challenges.

It is important that the teacher conducting the assessment should describe the emotions that the child and significant adults express in relation to these challenges.

The researcher suggests that the child's perspective on the ways in which he or she and significant adults have coped or is presently coping with challenges should be described. This is one of the specific areas in which strengths and resilience will be

clear. It should be considered whether coping strategies are or have been self-defeating or supportive of well-being.

The child's perspective on the results or consequences of the coping strategies adopted by the child and significant adults should be described.

The learner's hopes and goals for the next 3 weeks, next 6 months and next year should be described by the teacher conducting the assessment. If the person is in a residential facility, what would this young person like to do when he or she leaves the facility and with whom does he or she want to stay? If this learner is in a residential facility, what is the present plan to re-integrate him or her with the family or long-term relationship with a caring adult, and community in the shortest possible time-frame?

5.3.1.5.7 Strengths assessment

These strengths can be psychological, personality and social on the part of the learner or the adult. The following Table contains the list of strengths which should be identified and developed in order to support the child development. The assessor should identify inner strengths such as the following:

List of inner strengths

• Leadership; • Loyalty • Courage • Kindness • Sense of fairness • Wisdom • Creativity • Curiosity • Open-mindedness	• Humour • Spirituality/ faith • Sincerity • Humility • Commitment to learning • Responsibility • Assertiveness • Sense of purpose • Appreciation of beauty
--	---

• Persistence • Integrity • Love • Forgiveness • Self-regulation • Friendship • Hope	• Optimism • Helpfulness Add others that you can think of
--	---

Source: Du Toit (2005:25) Restorative Pathways for Success (RPS Assessment).

5.3.1.5.8 Identification of immediate risk

From the above foundations of developmental assessment, teachers should be able to:

- Identify whether this learner (and family) is at risk of physical or emotional harm by self or others.
- Identify whether this learner is at risk of harming others.
- Identify whether this learner (and family) has their basic needs met.

If any of these apply, then an immediate action plan for safety, protection and well-being can be implemented.

5.3.1.5.9 Description of behaviour

Teachers and assessors are not allowed to use labels on developmental assessment but instead they are supposed to use descriptions of behaviours. The following Table contains the list of labels and descriptions of behaviours.

Labels and descriptions of behaviour

Labels (examples)	Description of behaviour
• Aggressive • Personality disorder	• Alan hits any child who refuses to help him

• Attention-deficit Disorder • Bad • Good • Abusive • Uncooperative • Defiant	• Poppy has killed 3 animals in the last 6 months. • Themba struggles to stay focused in class or in any group discussion. • Don't use judgments ever. • Sbongile swears at the teacher and pushes the younger girls at meal time. • I cannot get Ben to help with the cleaning. He refuses. • Tina does the opposite of anything I ask her to do or she says "I won't listen to you, you're not my mother."
--	---

Source: Du Toit (2005:11) Restorative Pathways for Success (RPS Assessment).

The developmental assessment tools culminate in learner profiles, that is, the information gained through these tools will be used to build up learner profiles. The same applies to information gained through reports from parents and other stakeholders. They all feed the learner profile which in turn enables the ILST to identify the learners in need of care. After all the information has been transferred into a learner profile, we shall go back to the three remaining stages put forward by SIAS, which involve identification of barriers to learning and development, the assessment of support requirements and planning, provisioning and monitoring of additional support in order to fully or completely help the child in need of care.

5.4 CONCLUSION

There is a need for the government to implement the Children's Act in mainstream schools in a proper way. This can be done by first identifying those learners in need of care and protection; secondly identifying and assessing their needs; and thirdly, giving

the necessary support. If the aforementioned stages are followed properly, it means that the Children's Act will be properly implemented.

In order to successfully implement the above stages all stakeholders are supposed to come together and forge close links and relationships. Secondly, the government should endeavor to have the necessary systems in place in mainstream schools.

In the past, the education of children in need of care has been managed as part of an exclusive system. Children in need of care and protection were helped or assisted by stakeholders who worked separately and independently of each other, for instance being helped by a social worker from the Department of Social Development and the nurse from the Department of Health. These two service providers are from different departments. The education of a child in need of care should move towards an inclusive system. The implication is that the child in need of care must in future receive assistance from a multidisciplinary team made up of a number of professionals.

Up until now learners in need of care in the Fort Beaufort Education District schools are being referred to various departments for support. In addition to access to these stakeholders being controlled by rigid criteria, there are too few social workers, school nurses and other professionals to help learners and this impacts negatively on the learner's progress. The involvement of parents in the education of their children is, to a greater extent, not related to reporting or information sharing purposes, but for parents performing other duties at school.

It is important that the provision of certain services to minors should help government detect children who are in need of care. For example, a child identified as sexually active by the school may be a child in need of care. Therefore, the ILST should be required to report suspicious cases to a child protection organization, social workers, or to the police office. The child would then receive proper attention and assistance. This would assist children who are abused, neglected and exploited.

The main objectives of the Children's Act are to give effect to constitutional rights of children. The Act tries to see to it that these rights are not just on paper but are implemented and enjoyed by the beneficiaries concerned. The second main objective is to give effect to South Africa's obligations concerning the well-being of children in terms of international instruments binding on the Republic(Section 2 Children's Act, No 38 of 2005).

In order to achieve the objectives of the Children's Act and to implement it properly, all stakeholders should actively play a meaningful role. If the challenges mentioned in the study can be addressed, learner identification will be enhanced, learner support services will be increased, parental involvement will be increased and cooperation among stakeholders will be enhanced. As a result schools will be able to produce good outcomes for learners in need of care and protection.

6. APPENDICES

6.1 APPENDIX A

No 12 Mitchell Street
Fort Beaufort
5720

The District Director
Fort Beaufort
5720

Dear Sir/ Madam

REQUEST FOR PERMISSION TO UNDERTAKE RESEARCH

I am currently registered for the degree of Master in Human Rights at the University of Fort Hare. My studies include a treatise with the following research topic: **An investigation into the implementation of the Children's Act No 38 of 2005 in mainstream schools in the Fort Beaufort Education District.** The main purpose of this study is to find out the challenges that hinder the implementation of Children's Act in mainstream schools.

I would like to request that certain schools in your district participate in this study. Participation of the respondents will be voluntary with the option of withdrawing at any stage of the process and there will be no negative consequences linked to non-participation. An informed consent will be requested before the respondents' participation in the process.

Confidentiality will be ensured. Information obtained will be used in such a way that the respondents cannot be identified. Therefore the final report will not include identifying information.

Face to face interviews will be used to collect data from principals of schools and Life Orientation teachers. Respondents will be informed that they are not obliged to answer all the questions if they feel uncomfortable to answer certain questions.

By participating in the study, respondents could contribute towards the improvement of the implementation of the Children's Act in mainstream schools.

The research findings will be disseminated to the Department of Education and schools which will participate in the study.

Yours faithfully

.....

S.V. Mankazana

6.2 APPENDIX B

No 12 Mitchell Street
Fort Beaufort
5720

The Principal
School Y

Dear Sir/ Madam

REQUEST FOR PERMISSION TO UNDERTAKE RESEARCH

I am currently registered for the degree of Masters in Human Rights at the University of Fort Hare. My studies include a treatise with the following research topic: **An investigation into the implementation of the Children's Act No 38 of 2005 in mainstream schools in the Fort Beaufort Education District.** The main purpose of this study is to find out the challenges that hinder the implementation of the Children's Act in mainstream schools.

I would like to request yourself and Life Orientation teachers of your school to participate in this study. Participation of the respondents will be voluntary with the option of withdrawing at any stage of the process and there will be no negative consequences linked to non-participation. An informed consent will be requested before the respondents' participation in the process.

Confidentiality will be ensured. Information obtained will be used in such a way that the respondents cannot be identified. Therefore the final report will not include identifying information.

Face to face interviews will be used to collect data from yourself and Life Orientation teachers. Respondents will be informed that they are not obliged to answer all the questions if they feel uncomfortable to answer certain questions.

By participating in the study, respondents could contribute towards the improvement of the implementation of the Children's Act in mainstream schools.

The research findings will be disseminated to the Department of Education and schools which will participate in the study.

Yours faithfully

.....

S.V. Mankazana

6.3 APPENDIX C

No 12 Mitchell Street
Fort Beaufort
5720

Dear Sir/ Madam

AN INVITATION TO PARTICIPATE IN RESEACH

I am currently registered for the degree of Master in Human Rights at the University of Fort Hare. My studies include a treatise with the following research topic: **An investigation into the implementation of the Children's Act No 38 of 2005 in mainstream schools in the Fort Beaufort Education District.** The main purpose of this study is find out the challenges that hinder the implementation of the Children's Act in mainstream schools.

I would like you, as a member of the teaching staff, to participate in this study. Participation of the respondents will be voluntary with the option of withdrawing at any stage of the process and there will be no negative consequences linked to non-participation. An informed consent will be requested before the respondents' participation in the process.

Confidentiality will be ensured. Information obtained will be used in such a way that the respondents cannot be identified. Therefore the final report will not include identifying information.

By participating in the study, respondents could contribute towards the improvement of the implementation of the Children's Act in mainstream schools.

The research findings will be disseminated to the Department of Education and schools which will participate in the study.

Yours faithfully

.....

S.V. Mankazana

6.4 APPENDIX D

No 12 Mitchell Street
Fort Beaufort
5720

Dear Sir/ Madam

AN INVITATION TO PARTICIPATE IN RESEACH

I am currently registered for the degree of Master in Human Rights at the University of Fort Hare. My studies include a treatise with the following research topic: **An investigation into the implementation of the Children's ActNo 38 of 2005 in mainstream schools in the Fort Beaufort Education District.** The main purpose of this study is find out the challenges that hinder the implementation of the Children's Act in mainstream schools.

I would like you, as a school social worker in the district, to participate in this study. Participation of the respondents will be voluntary with the option of withdrawing at any stage of the process and there will be no negative consequences linked to non-participation. An informed consent will be requested before the respondents' participation in the process.

Confidentiality will be ensured. Information obtained will be used in such a way that the respondents cannot be identified. Therefore the final report will not include identifying information.

By participating in the study, respondents could contribute towards the improvement of the implementation of the Children's Act in mainstream schools.

The research findings will be disseminated to the Department of Education and schools which will participate in the study.

Yours faithfully

.....
S.V. Mankazana

6.5 APPENDIX E

No 12 Mitchell Street
Fort Beaufort
5720

Dear Sir/ Madam

AN INVITATION TO PARTICIPATE IN RESEACH

I am currently registered for the degree of Master in Human Rights at the University of Fort Hare. My studies include a treatise with the following research topic: **An investigation into the implementation of the Children's Act No 38 of 2005 in mainstream schools in the Fort Beaufort Education District.** The main purpose of this study is find out the challenges that hinder the implementation of the Children's Act in mainstream schools.

I would like you, as a school nurse in the district, to participate in this study. Participation of the respondents will be voluntary with the option of withdrawing at any stage of the process and there will be no negative consequences linked to non-participation. An informed consent will be requested before the respondents' participation in the process.

Confidentiality will be ensured. Information obtained will be used in such a way that the respondents cannot be identified. Therefore the final report will not include identifying information.

By participating in the study, respondents could contribute towards the improvement of the implementation of the Children's Act in mainstream schools

The research findings will be disseminated to the Department of Education and schools which will participate in the study.

Yours faithfully

.....

S.V. Mankazana

7. BIBLIOGRAPHY

BOOKS

Ackerman, R.J.& Graham, D. 1990. Too old to cry: Abused teens Pub Human Services Institute, 1st edition.

Anderson, J.E. 2006. Public Policy Making: An Introduction. 6th edition. Boston Houghton Miffling Company.

Babie, E, Mouton, J, Vorster, P & Prozesky, B. 2001. The Practice of Social Research. South African Edition. Cape Town: Oxford University Press Southern Africa.

Best, W.J.& Khan, V.J. 1993. Research in Education. 7th edition. Boston: Allyn and Bacon.

Cohen,L.&Manion,L.1994. Research methods in education. London Routledge.

Cohen,L. &Manion,L. 2006. Research methods in education. London Routledge.

Cohen, L. Manion, L.& Morrison, K. 2000 Research methods in education. London New York Routledge.

Cooper, R. 1998 Socio-Cultural and within school factors that affect the quality of implementation of school wide programs. Baltimore: John Hopkins University.

Du Toit, L. (2005) Restoring Pathways for Success (RPS Assessment). Cape Town. Pretext. Publishers.

Denzin, K.N.& Lincoln, S.Y. 2000. The hand book of qualitative research London: Sage Publication.

Denzin, K.N.& Lincoln, S.Y. 2005. The hand book of qualitative research
London: Sage Publication.

Gorard, S. 2003: Quantitative Methods in Social Science: Continuum International
Publishing Group.

Ham, C. and Mill, M. 1984. The Policy Process in the Modern Capitalist State. London:
The Harvest Press Publishing Company.

Kvale, S. & Brinkman, S. 2008. InterViews, 2nd Edition. Thousand Oaks: SAGE.ISBN

Leedy, D.P.& Ormorod, E.J. 2005. Practical Research Planning and Design.8th edition.
NewJersey: Pearson Prentice Hall.

Leedy, D.P. 1980. Practical Research: Planning and Design. New York: Macmillan.

Lincoln,Y.S.&Guba, E.G. 1985. Naturalistic. Newbury Park. Sage Publishers.

Mandela, N.R. 1995. Long walk to freedom/ [www andiquoute.co.za](http://www.andiquoute.co.za)

Mashall, C. & Rossman, G.B. 1995. Designing qualitative research. University of
Pretoria.

Maunze, C.C. 2007. Provision of Technical/ Vocational Education in Secondary
Schools: A focus on Current Situation. The Teacher's Voice in Zimbabwe.

Mays, N. & Pope, C. 2000.Qualitative Research in Health Care. London: BMJ Books.

National Teachers Guide. 2010. Stellenbosch. Argo.

Niewehuis, S. 2007. Psychophysiology. Oxford University Press.

Nyagura, L. M. & Recce, J.L. 1990. "Curriculum Implementation in Zimbabwe Secondary Schools" Zimbabwe Journal of Educational Research, 2 (3).

Wiersma, W. 1995. Research methods in Education: An introduction. Boston. Allyn and Bacon.

INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

African Charter on Human and Peoples Rights adopted in 1981.

African Charter on the Rights and Welfare of the Child adopted in 1990, entered into force in 1999.

Convention on the Rights of the Child adopted in 1989

International Covenant on Economic, Social and Cultural Rights, adopted in 1966.

United Nations, Universal Declaration of Human Rights, adopted 10 December 1948.

INTERNET SOURCES

Barriere, D. 2002. Child abuse effects. Child abuse allegations go unreported. Canada Webmaster.(Online).

Bureau of Democracy, Human Rights and Labor 2006.US Department of State on South Africa.(Online).

Bureau of labor statistics 2010: USA Department of labor: occupational handbook. (Online).

Castillo, J.J.2009 .Non-probability sampling<http://www.experimentresources.com/non-probability-sampling.html> last assessed 2011

Cattermole and Robinson. Effective home/school communication-from the Parents' perspective.1985/ www.uky.edu.

Carpenter, J. 1995. Inter professional education for medical and nursing students: Evaluation of a program. Medical Education.(Online).

Clayton, M. 2002. Why child abuse goes unreported. The Christian Science Monitor.USA.(Online).

Device to be used for drug testing and the procedure to be followed
Date 22, July, 2008 by Naledi Pandor.

Engelbrecht, O. 2004. Minister Throws Cane Out of Window. East London Daily Dispatch. 9, June, 2004. (Online).

GIO-Home page (Graduate Institute of Optometry)
School screening guidelineswww.gio.co.za (Online). Last assessed 2011.

Henderson, N. 2010: National Coalition for Parent Involvement in Education (NCPIE) Washington DC. (Online).

Huebner, E.S. & Gould, K. 1991. Multidisciplinary teams revisited: Current perceptions of school psychologists. (Online).

No Child Left Behind Act:2001. USA Parliament.(Online).

Proudlock, P. and Jamieson, L. 2008. Guide to the Children's Act No 38 of 2005. Children's Institute. University of Cape Town.

Magubane, K. 2008. Anti Abuse Campaign hits S.A. Media Club South Africa. 6, November 2008. (Online).

McDermott, P. & Rothenberg, J. 2000: The Qualitative report. Why urban parent resist involvement in their children's elementary Education. State University of New York. www.nova.edu. (Online).

Parliamentary Monitoring Group. 2010. South African Parliament. (Online).

Reproductive Health Research Unit 2004. National HIV and Sexual Behavior Survey of 15-24 year olds, 2003. Three ways to reduce pregnancy in South Africa. University of Witwatersrand, Johannesburg.

Richter, L. & Dawes, A. 2008. Child abuse in South Africa: rights and wrongs. www.greengasette.co.za. (online).

Royal College of Nursing 2005. Employment research. Published by Royal College London. (Online).

School Health Services, Wikipedia. [Http/en.wikipedia.org](http://en.wikipedia.org). (Online).

South Africa: Human Development Report 2003. Cape Town. South Africa. Oxford University Press.

Stanford Encyclopedia of Philosophy. 2008. Friends PDF Preview.

UNESCO. 1994. Salamanca Statement and Framework for Action on Special Needs Education. Spain: UNESCO.

Wood, M. 1998. Whose job is it anyway? Educational roles in inclusion. (Online).

Yin, R.K. 2003. Case Study Research: Design and Methods. Third Edition. Sage Publications.(Online).

Youssef, R.& Atta, H. 1998. Child abuse and neglect: Its perception by those who work with children. Eastern Mediterranean Health Journal.(Online).

LEGISLATIONS

Department of Education 1998. Education White Paper 5: National ECD Pilot Project Draft. Qualifications Framework and Interim unit standards. Pretoria. Government Printers.

Department of Education 2001. Education White Paper 6: Inclusive Education. Pretoria. Government Printers.

Department of Education 1998: Education White Paper 5: Assessment Policy in General Education and Training phase Grade R to 9 and ABET. Pretoria. Government Printers.

Department of Education 2001. Education White Paper 5: Early Childhood Development. Pretoria. Government Printers.

Department of Education and Early child Development, 2008.Pretoria. Government Printers.

Department of Education, 2008. National Strategy on Screening, Identification, Assessment and Support (SIAS) Pretoria. Government Printers.

.

Department of Health. 2000. Primary health care package for South Africa. Pretoria. Government Printers.

Department of Education 1997 Education White Paper 5: Language in Education Policy. Pretoria. Government Printers.

Education Management Information Systems: 2010. Department of Education. Pretoria.

Republic of South Africa. The Constitution of the Republic South Africa of 1996. Pretoria. Government Printers.

Republic of South Africa. Children's Act. No 38 of 2005. Pretoria. Government Printers.

Republic of South Africa. Children's Amendment Act. No 41 of 2007. Pretoria. Government Printers.

Republic of South Africa, Social Assistance Act, No 13 of 2004 Pretoria. Government Printers

Republic of South Africa. South African Schools Act. No 84 of 1996 Pretoria. Government Printers.

Republic of South Africa. South African Social Security Agency Act No 9 of 2004. Pretoria. Government Printers.

Republic of South Africa White Paper 5. Department of Education 2001. Government Printers.

Republic of South Africa White Paper 6. Department of Education 2001. Government Printers.