



Social protection



This is one in a series of topical guides developed for PAN: Children that provides key information on the current state of affairs in South Africa related to the topic and highlight practical guidance, lessons learnt and case studies (both national and international) that will be helpful in policy development dialogue and knowledge sharing.

1. International, African and national Instruments guaranteeing the right to social protection

The obligations on the state to protect, respect and promote the right of children to social protection are governed by international, African and national legal instruments. These include:

1. The United Nations Convention on the Rights of the Child (United Nations Convention on the Rights of the Child, 1990) ;
2. The African Charter on the Rights and Welfare of the Child (African Union. African Charter on the Rights and Welfare of the Child (1999)); and
3. The Constitution of the Republic of South Africa (Act 108, 1996).

In terms of these instruments the state is obliged, where parents or caregivers are unable, to provide material assistance and support programmes to assist them to ensure their children's' basic rights, to inter alia, nutrition, clothing and housing.

The term social protection encompasses a wide range of poverty alleviation interventions. They differ from general development interventions in that they target the provision of services and support to specific groups of people "who fall temporarily or persistently under levels of livelihood deemed acceptable, rather than the promotion of a general standard of opportunity and livelihood for all citizens." (Norton, Conway, & Foster, 2001) (Brunori & O'Reilly, 2010)

Social protection encompasses a range of resource transfers to groups of people in need and pre-emptive protective social security programmes to protect people against future risks, shocks and deprivations. Resource transfers include the provision of non-contributory social assistance (grants) and social wage benefits such as free or subsidised water, electricity and sanitation services. Contributory social insurance includes unemployment insurance, maternity benefits and dependent's benefits. (Brunori & O'Reilly, 2010) (Norton, Conway, & Foster, 2001)

This guide will focus on non-contributory social assistance (grants) and contributory social insurance.

2. National policies, laws and programmes

The White Paper on Social Welfare (1997) provides the policy framework for post-apartheid restructuring of social welfare services, programmes and social security. (Department of Welfare, 1997)

The Social Assistance Act, No. 13 of 2004 (as amended) makes provision for the rendering of social assistance to vulnerable groups of people, including children, people with disabilities and older persons. (Act No. 13, 2004)

The Unemployment Insurance Fund Act, No. 63 of 2001 as amended by Act, No. 32 of 2003

makes provision for the payment of illness, maternity, adoption and dependent's benefits from the unemployment benefits fund. (Act no. 63, 2001)

The Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993 makes provision for the payment of compensation to workers and their dependents in the case of death or injury at work. (Act No. 130 , 1993)

3. Situation assessment and analysis

3. a Situation assessment of child poverty and access to social security

The majority of children in South Africa live in income poverty. In 2010, 60% of children lived in households with a per capita income of less than R 575 per month, and 35% lived in extreme poverty on less than R 290 per month. There is significant variation in poverty levels amongst children of different races and children living in different provinces. The number of children living in poverty is much higher in historically marginalised, predominantly rural provinces which fell within the boundaries of the former apartheid homelands. The highest numbers of poor children live in the Limpopo province and the Eastern Cape (over 70%). Fewer children in the predominantly urban provinces of Gauteng (38%) and the Western Cape (32%) live in poverty. Historical inequities persist along racial lines too. Significantly more Black African children (67%) lived in poverty in 2010, compared to Coloured children (31%), Indian (14%), and White children (4%). (Hall, 2012)

Given that poverty is linked with poor access to health care, education, basic services such as water and sanitation, and access to adequate food, racial and provincial variations also persist in relation to access to these rights and benefits. This is well illustrated with reference to access to clean running water. A significant number of children, especially Black African children living in predominantly rural provinces lack access to clean drinking water on site, and they are more likely to be deprived of this basic right than adults. In 2010, 74% of adults, compared to 64% of children lived in households with access to clean water on site. The situation has not improved significantly for children since 2002. It is especially acute in provinces such as KwaZulu-Natal, Limpopo, and the Eastern Cape where only 49%, 45% and 34% of children enjoy access to clean running water on site. Rural, racial, and income inequalities are especially pronounced with only 58% of African children, compared to 95% of other population groups, only 17% of children living in traditional housing (in rural areas), and 46% of children in the poorest 20% of households, compared to over 90% in the richest 20% having access to clean running water. (Hall, K, 2012 (a))

Whilst the levels of child poverty are cause for concern, it has nonetheless decreased dramatically over the last ten years by more than 13% since 2003. This reduction is linked to the expansive child-focussed social security programme in South Africa, most notably the near universal Child Support Grant (CSG) which is a monthly unconditional cash transfer of R 280 per month (in 2012). In 2012, more than 11 million children (out of a total of 18, 5 million) were benefiting from the CSG. (SASSA, 2012) (Chennells & Hall, 2011)

The CSG is only one component of South Africa's social security system which is extensive in comparison to other developing and transition countries. Its social security spend amounts to 3.5% of GDP, compared to 1.4% in other developing countries. (Woolard & Leibrandt, 2010)

The system comprises both contributory and non-contributory forms of social security, although the "social insurance prong of South Africa's social security system is far smaller than the social assistance prong." (Woolard & Leibrandt, 2010)

Contributory social insurance takes one of three forms – the Unemployment Insurance Fund, the Compensation Fund and the Road Accident Fund. The Compensation and Unemployment Insurance Funds are key sources of material support for children of deceased contributing workers – both pay survivor benefits to the families of deceased workers. The reach and impact of contributory social insurance on poverty reduction is relatively small because the high levels of unemployment in South Africans leaves the majority of people living in poverty outside of the contributory safety net. (Woolard & Leibrandt, 2010)

The non-contributory components of the system targeting children include the CSG, the Care Dependency Grant (CDG) for caregivers of children with severe disabilities and requiring permanent home care, and the Foster Child Grant (FCG) for foster parents of children placed in their care through a court order. In 2012, 116, 101 children received the CDG and 544 968 received the FCG. (SASSA, 2012) In addition, the Old Age Grant (OAG) and the Disability Grant which are paid to poor adult pensioners and adults with disabilities contribute to income in households with children.

3.b The impact of social security on child poverty and well-being

The South African social protection programme is well targeted and has consequently reduced child poverty and inequality, and has had a significant impact on breaking the "intergenerational transmission of poverty."

Effective targeting of the social grants, most notably the CSG, has reduced income inequality across quintiles, provinces, races and between urban and rural children. (Servaas Van De Berg; Siebrits, Krige; Lekezwa, Bongisa, 2010)

Evidence confirms that poverty and inequality would have worsened without government grants, and parents would not have had the means to invest in their children's health and education, thus affording them an opportunity to escape the poverty trap. (Woolard & Leibrandt, 2010) (DSD, SASSA, and UNICEF, 2012) (Department of Social Development, The South African Social Security Agency, UNICEF, 2011) (Servaas Van De Berg; Siebrits, Krige; Lekezwa, Bongisa, 2010)

The CSG, and to some extent the Old Age Grant, has also improved children's access to early childhood care and education, education, retention at school, educational outcomes, health, child labour, risky behaviours, and nutritional status. (Danvers, 2010) (Aguero, Carter, & Woolard, 2007) (DSD, SASSA, and UNICEF, 2012) (Department of Social Development, The South African Social Security Agency, UNICEF, 2011) (Servaas Van De Berg; Siebrits, Krige; Lekezwa, Bongisa, 2010)

In addition grants have improved the economic sustainability and resilience of poor households by promoting job-seeking behaviour amongst working-age adults in poor households, through the higher prevalence of savings, and through improved resilience to economic shocks in households receiving grants. (Danvers, 2010) (Ardington, Case, & Hosegood, 2008) (Department of Social Development and UNICEF South Africa, 2010)

3. c Limitations of the current social security system and recommendations for remediation

Despite its scope and impact, the current social security system could be more effective and efficient in its reach and impact because of the following errors of inclusion and exclusion.

1. The CDG is only available for children with severe disabilities requiring permanent home care, leaving children with moderate disabilities without the additional material support necessary to cover the cost of their additional needs. The eligibility criteria for the CDG should be amended to include children with moderate disabilities. (Taylor V. , 2002)
2. There is no dedicated grant available – conditional or otherwise – for the support of unemployed adults, thus reducing the economic stability of adult caregivers living in poverty. (Noble, Ntshongwana, & Surender, 2008) (Woolard & Leibrandt, 2010) Calls for the expansion of the social security system to provide an additional grant to unemployed adults has been met with concerns about the unaffordability and unsustainability of the ever-growing South African social security system. In addition, it has raised concerns about creating grant dependency and disincentivising job seeking behaviour and employment. (Servaas Van De Berg; Siebrits, Krige; Lekezwa, Bongisa, 2010) (Woolard & Leibrandt, 2010)
3. The issue of perverse incentives and abuse of grants has often been met with a call for the introduction of conditionalities on grants to compel or encourage job-seeking, health-promotive or educational attendance amongst grant beneficiaries. (Noble, Ntshongwana, & Surender, 2008) (Servaas Van De Berg; Siebrits, Krige; Lekezwa, Bongisa, 2010) (Woolard & Leibrandt, 2010)
4. The FCG, which was initially intended as a means of financial support for children temporarily removed from their biological home because of abuse or neglect and placed in foster care. Over time the FCG has increasingly been used as a grant for orphaned children. In consequence, the number of FCG beneficiaries has doubled since 2004. The majority of orphaned children live with extended biological family members and are in the main, primarily in need of material support, rather than the protection services offered through the foster care system. This has resulted in a massive financial and unnecessary administrative burden on the foster care processes, human and financial resources and courts. This has resulted in huge backlogs in foster applications and a diversion of child protection resources, including social workers and court personnel away from children in need of care and protection to processing FCG applications through the foster care system. Given the projected growth in the number of orphans in South Africa, a number of questions have been raised about the appropriateness and sustainability of the use of the FCG as a source of material support for orphans. Policy analysts have called for a review of the current FCG system with a view to introducing a more appropriate and less costly form of social

assistance for orphans. (McEwen & Woolard, 2008) (Meintjies, Budlender, Giese, & Johnson, 2003) (Hall, K; Proudlock, P, 2011)

5. Approximately 10% of income-eligible children in South Africa do not receive the CSG. Especially vulnerable groups that are excluded from the CSG are infants (under the age of one year), maternal orphans and newly-eligible age groups. (McEwen & Woolard, 2008) (Woolard & Leibrandt, 2010) (DSD, SASSA, and UNICEF, 2012) The late registration of young children for the CSG is particularly problematic given the recent findings “that early enrolment in the CSG programme substantially strengthens impacts.” (DSD, SASSA, and UNICEF, 2012)

The reasons for the exclusion of infants and other vulnerable groups include caregiver delay, lack of access to documents, and lack of knowledge, especially with regard to income thresholds for the means test, eligibility of employed caregivers and eligibility by nationality, citizenship and residence status. (Department of Social Development, The South African Social Security Agency, UNICEF, 2011) (McEwen & Woolard, 2008) (Woolard & Leibrandt, 2010) There is thus a need for increasing awareness of documentation requirements, means test thresholds, eligibility criteria, and for promoting early grant access (McEwen & Woolard, 2008) (Department of Social Development, The South African Social Security Agency, UNICEF, 2011)

The reason for lack of access by maternal orphans and newly-eligible age groups remain unclear and requires further research and remediation. (Woolard & Leibrandt, 2010) (McEwen & Woolard, 2008) (DSD, SASSA, and UNICEF, 2012)

6. Access to contributory social insurance by vulnerable children of deceased contributors is problematic. The failure to appoint legal guardians for children from poor families, the hidden costs of claiming benefits, lack of knowledge about benefits, and complicated claims procedures contribute to children living in poverty from accessing this form of assistance. The authors of a study on the issue recommend the development of a more protective legal and administrative framework for processing children’s dependent’s claims. (Department of Social Development and UNICEF, 2008)

4. Guidelines and advice on the design, implementation, monitoring and evaluation of policies and programme interventions to improve social protection

The **Child Support Grant Evaluation 2010: Qualitative research report** provides a number of recommendations for the design and implementation of CSG application and complementary processes so as to make it more accessible to eligible households not yet in receipt of the grant, and to maximise the benefit of the grant. Recommendations include:

1. Engaging in clear and regular communication and regular updates around specific areas of confusion relating to documentation requirements, means-test thresholds and nationality and citizenship-based eligibility;
2. Implementation of automatic annual inflation-linked grant increases;
3. Monitoring participating pay-out stores to ensure that beneficiaries are not compelled to spend CSG money at the store; and

4. Replacing current soft educational conditionalities with complementary supportive interventions to improve school attendance. (Department of Social Development, The South African Social Security Agency, UNICEF, 2011)

The Changing Dynamics of Child Grants in the Context of High Adult Mortality in South Africa: a simulation to 2015 provides guidance to policy makers on the likelihood of an increase, and where relevant, the anticipated scale of such increase in the numbers of CSG and FCG beneficiaries in the light of current fertility trends and the high adult mortality rate in South Africa. The paper concludes that the child population is not expected to grow between 2008 and 2015 and thus there is not an anticipated increase in the number of CSG beneficiaries. There is however an anticipated increase in the number of orphans and if the current situation is entrenched, in terms of which the FCG is made available to all orphans, the cost will escalate to excessively high levels to accommodate the anticipated 4,8 million double orphans by 2015. (McEwen & Woolard, 2008)

The evolution and impact of unconditional cash transfers in South Africa asks and provides guidance on the question of extending the social security system to unemployed adults as well as guidance on whether to make social assistance subject to conditionalities. The paper concludes that a tougher growth environment over the medium term means that the further expansion of the non-contributory grant system to unemployed adults will be fiscally burdensome and unsustainable. With regards to the question of conditionalities, the paper concludes that the administrative costs and the barriers linked to conditionalities renders them illogical. (Woolard & Leibrandt, 2010)

Attitudes to work and social security in South Africa provides evidence-based guidance to policymakers on the assessing and responding to the risk of cash transfers undermining work motivation and creating dependency. The report provides evidence in support of extending the social grant benefit to unemployed adults. It also provides evidence to show that there is little to be gained from linking grants to the condition that recipients actively look for work. In addition, it provides guidance on steps that could be taken to better support job-seeking and employment amongst beneficiaries of the CSG, including more accessible and affordable child care facilities. (Noble, Ntshongwana, & Surender, 2008)

A review of children's access to employment-based contributory social insurance benefits provides guidance for the reform of the contributory social insurance legal and administrative framework to overcome the challenges associated with vulnerable children's access to their dependent's benefits in terms of various contributory social schemes. Recommendations include the creation of a statutory duty on employers to keep information on dependents, the coordination of investigation information and capacity across registered retirement funds, the development of payment processes that protect children against abuse of funds by guardians, and increasing access to rights enforcement mechanisms for affected children. (Department of Social Development and UNICEF, 2008)

Social protection in Africa: An overview of the challenges provides a comprehensive overview of the need for social protection on the African continent, as well as the challenges to establishing contributory and general social protection programmes on the continent. It provides guidance, based on a review of best practices and lessons learned across the continent, to policy makers on strategic policy options and mobilising resources for social protection. (Taylor V., 2008)

Designing Social Protection as an Effective and Sustainable Investment draws on good social protection practices from case studies in Kenya, Zambia and Mongolia to develop a body of guidelines for the development of effective and sustainable social protection policies and programmes. (Institute for Development Studies, 2011)

5. Case studies

Child poverty: A role for cash transfers? West and Central Africa reviews and assesses the contribution that social assistance, in the form of cash transfers, can make to address the risks and vulnerabilities faced by children in the region including child poverty and the poverty gap. Based on case studies in the region, it provides insight into the benefits and pitfalls of the different policy options, including a universal child benefit, a selective child benefit using a means test, and a universal old age pension. The discussion includes a consideration, based on country-level simulations, of the cost and affordability, the impact the chosen model would have on improving the situation of children as well as the exclusion and inclusion errors associated with the different models. (UNICEF and ODI, 2009)

The impact of unconditional cash transfers on nutrition: the South African Child Support Grant documents the impact that the CSG has had on improving the nutritional status of young children in poor families in KwaZulu-Natal, South Africa. The study concludes that access to the CSG in the early years has a significant positive impact on child height yielding a potential return on the CSG of between 160 and 230 per cent. (Aguero, Carter, & Woolard, 2007)

Cash or Condition? Evidence from a Randomized Cash Transfer Program reviews data from an intervention in Malawi which included the provision of randomized conditional and unconditional cash transfers to adolescent girls in Malawi and compares the impact of the two transfer types on their school enrolment and retention rates. The objective of the study was to provide evidence for policy makers as to which policy option to pursue – conditional or unconditional cash transfers – to achieve the largest impact “per dollar spent.” The study concluded that both transfers had a significant beneficial impact on school enrolment and attendance of the girls and that there was no substantial difference in the level of impact of the unconditional, versus the conditional transfer. The unconditional transfer nearly eliminated under-age marriages, whereas the conditional transfer had no impact on this phenomenon. In short, the study confirms the positive social and economic benefit of cash transfers on the well-being and development of children. Furthermore it provides evidence in favour of, not only the benefit, but the superior cost-benefit ratio of unconditional versus conditional cash transfers. (Baird, McIntosh, & Ozler, 2010)

An Impact Evaluation of Chile Solidario on Households and Children provides an overview of what is described as an avant garde Conditional Cash Transfer (CCT) and an evaluation of its impact on children and families. It differs from other Latin American social security systems in that it has been shaped to address the “multidimensional nature of poverty” caused, not only by insufficient income, but also due to low levels of human and social capital, and the vulnerability of households to shocks.

The *Chile Solidario* was introduced in 2002 and, as “with other CCTs, it provides monetary transfers to indigent families enabling them to move out of extreme poverty in the short term, while it tries to support vulnerable people by creating opportunities for a better future in the long term.” In addition, it is characterised by a number of additional innovative features, including the following:

1. It is targeted at only 5% of families living in extremely vulnerable socio-demographic and economic conditions. The indices of vulnerability include health, income, education and housing. These are “used to define a threshold which differs according to location to better reflect geographical diversity.”
2. Poverty is recognised as a multi-dimensional experience and differs in its impact from family to family. Thus, instead of a common set of conditions attaching to every grant, a “capability approach is specifically adopted to ensure greater equity among beneficiaries.” Each family that qualifies for the grant cooperates with a social worker who assesses the family’s needs and capabilities and enters into an agreement or action plan including specific measure for the family to escape poverty – and these become the conditions for the grant. Commentators have noted that this is particularly beneficial for children as their experience of poverty often has multidimensional aspects.
3. The third innovation revolves around development of the supply side so as to provide programmes that recognise and respond to the needs of the poor. (Martorano & Sanfilippo, 2012)

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