



Welcome to the Real Reform for ECD Campaign

If you are reading this, you have either shown interest in supporting the Real Reform for ECD Campaign or we are encouraging you to support the campaign as a key champion for ECD.

Introduction

Legal frameworks can either enable the achievement of universal access to comprehensive equitable early childhood development services or it can impede access by being restrictive, onerous or unrealistic. In our view a workable regulatory regime ought to be assessed on whether it:

1. Provides for different types of ECD providers to be regulated differently;
2. Ensure that children who need it can access the early learning subsidy;
3. Provides for simple, adequate health, safety and programme standards;
4. Has strong pro-poor mechanisms; and
5. Enables and supports the infrastructure needs of the sector.

Right now, the legal regime is impeding our ability to advance access to ECD and strengthen the quality of existing services. Despite meaningful progress in recent years, we remain saddled with unattainable registration requirements, a complicated dual registration process, pro-poor mechanisms in the Children's Act that are not used and major gaps in the legislation that prevent the National ECD Policy from being properly implemented.

In addition, there remains significant confusion regarding the proposed shifting of roles and responsibilities for early childhood development from the Department of Social Development to the Department of Basic Education (as was announced by President Ramaphosa last year).

It is clear to us that more comprehensive, well-considered and holistic reform is needed regardless of the impending migration of responsibilities.

The Children's Amendment Bill

The Children's Amendment Bill B18-2020 ("the Bill"), was introduced in Parliament on 31 August 2020. The Portfolio Committee on Social Development invited written comments on the Bill on 18 October until 27 November 2020. The Bill proposes amendments in relation to a wide range of issues impacting on children, including amendments regarding partial care and ECD.

For over a decade, the ECD sector has been calling for national legislation to deal with ECD in a streamlined registration process. Whilst the Children's Amendment Bill introduced in Parliament now includes a distinct ECD chapter, the proposed amendments result in duplication and create more confusion. The Bill still does not tackle the major challenges the sector faces.

In addition, the Bill is silent on the effect of the proposed migration of responsibilities in respect of ECD from the Department of Social Development to the Department of Basic Education. A lack of



alignment between amendments and the ECD migration can cause confusion and disruption to the ECD sector.

A few organisations (Ilifa Labantwana, the Equality Collective, Equal Education Law Centre (EELC), Children's Institute, Smartstart, DGMT and academics at UCT) have been thinking through the ECD legal framework for a while and have been doing work in that space over the past 2-3 years. We gave input into the drafting process when there was a call for submissions from the National Department of Social Development and engaged DSD at every opportunity we got on the legal reforms required. The DSD internal review process, however, seemed to insufficiently engage with our submissions. This meant that the Bill submitted into the Parliamentary process is significantly flawed. We have been keeping an eye on this space for a long time. Once the Bill was formally introduced to Parliament, the Equality Collective and Ilifa Labantwana, convened the aforementioned organisations alongside some other network based organisations. We brainstormed an approach to the Children's Amendment Bill and concluded that simply responding to the Bill would be insufficient. That if we were serious about the need for wholesale reform, that a campaign calling for Real Reform in the ECD sector involving all parts of the ECD sector participating would be required. It seemed that using the Parliamentary process would be a good entry point for such a campaign.

The Campaign's 5 Key Reforms

The campaign is focussed on galvanising the sector behind 5 clear reforms. They are as follows:

Reform 1: We need a **one-step registration process for ECD providers. Different types of ECD programme providers** including playgroups, toy libraries and home-based care **must be regulated differently.** A one-size-fits-all approach is not appropriate.

Reform 2: All children attending any type of ECD programme should be able to access the **early learning subsidy** if they need it.

Reform 3: Simpler, adequate health, safety and programme standards must be in place and must be assessed through one process.

Reform 4: It must be made clear that you can get **conditional registration if you can't meet all the registration requirements. MECs must support** providers servicing poor communities to meet registration requirements and they must be **required to report** to the Minister on progress achieved.

Reform 5: The **infrastructure needs of the sector must be supported.** Current providers (including on private land) should be able to receive support and municipalities must be required to provide for and maintain sufficient and appropriate ECD infrastructure in their regions.



The Campaign's overall objectives

- We want to support as many submissions as possible being made to Parliament on the Bill with 75% coming from ECD providers and those affected.
- We want to ensure that the Portfolio Committee has a dedicated session on ECD in Parliament (this will raise the profile of ECD and give it the attention it deserves)
- In the **short run** we want to ensure key incremental wins in the Children's Amendment Bill process as well as ensuring that the regressive amendments are removed.
- In the **medium term**, we want to place the necessity for wholesale ECD legal reform firmly on DSD and DBE's agenda as part of the planned migration and inform that debate from the get-go.
- We want a commitment by the end of 2020 that a complete overhaul will be undertaken and a clear commitment to the solutions the campaign has outlined.
- In the **longer run**, we want an overhaul of the legal system achieved within 5 years.

Who is behind the campaign?

This campaign is not owned or run by any one organization. Any organization or network affiliation can join the campaign. This can be done via our website on www.ecdreform.org.za. So far 50 organizations have signed on in support of the campaign and we have not even launched yet! Please see Annexure A for a list of organisations that have joined so far. Campaign is due to launch on 26 October.

In the week of 2 November we will convene a meeting of all member organisations and choose a steering committee and decision-making structure.

You are also more than welcome to support the campaign without officially joining (ideas on how to support the campaign follow below). Before launching, the campaign was workshopped at the Bridge CoP (with over 70 people present), with the ECD C19 People's Coalition Group and engagement was made with several other entities. So far, the sector has shown wide support for the objectives of the campaign.

What can you do?

We are looking for your support to help us get practitioners and providers in the sector and in your networks to understand the campaign; to understand the major challenges with the Bill and to get them to support the campaign. It is critically important that their voices are heard and this campaign provides such an opportunity. The best way to get heard is by encouraging those in your networks to do the following:

1. Make a written submission to Parliament between 16 October and 27 November 2020 at childrens-amendment-bill@parliament.gov.za
2. Sign the petition calling for our 5 reforms that will be submitted to the relevant Members of Parliament at <https://www.change.org/Realecdreform>
3. Join the campaign or reach out for any support at www.ecdreform.org.za or via WhatsApp on 072 017 1682



Please use your networks and your databases to share our resources and guides and actively encourage people to sign up on the website or via WhatsApp. We suggest phoning people rather than emailing them where possible. This will give you the opportunity to explain the campaign verbally. We want as much practitioner participation in this campaign as possible. If you need help in phoning your database, please reach out to us at fivesolutions@ecdreform.org.za we can try and provide additional assistance.

What support will the Campaign provide?

Once people have signed up via WhatsApp or on the website, we will have a team of people that will contact each person individually and support them to make a written submission to Parliament. It is difficult for us to help if people have not made contact through these channels.

People differently situated will have different contextual challenges with the law. We want people to make the submissions they want to make and will try our best to support them to do so. We will also produce template submissions that can be used by people in the sector to make submissions should they want to use these templates. So far the campaign can support people in isiZulu, isiXhosa, English and seSotho.

Final words

The success of a campaign is when it is owned by as many people as possible who support it. This is YOUR campaign. Let's build a movement for a stronger ECD sector.

For more information

Visit the website: www.ecdreform.org.za

Email: fivesolutions@ecdreform.org.za

WhatsApp: 072 017 1682

Annexure A

Campaign Signatories as of 23 October 2020:

Do More Foundation
ELRU (Early Learning Resource Unit)
SAEP (South African Education Project)
Gerards Early Childhood Development Centre
Birch Academy Preschool
Little 5 Sandton (Pty) Ltd
Oppenheimer Memorial Trust
Singakwenza Education and Health (NPC)
Jim Joel Fund
Ilifa Labantwana
Equality Collective



Equal Education Law Centre (EELC)
SmartStart
Children's Institute
DG Murray Trust
Van Wyk and Associates
Winners Day Care and Pre School
Tools for School
Ubunye Foundation
Grow Educare Centres
Help SA ECDS
Angels paradise day care center
Raised my hand children's care centre
Light Bearers Academy
Lethokuhle day care centre
Linda Sande Day Care
Minni Hands Day Care
Kids at Work
Little lighthouse nursery school
Sallem Day Care Center
Brixton ECD Center
Paradise Creche
Joyful Times Daycare
Thandanani forum
Splendid Kids
Duduza ECD forum
Thembelihle Day Care
Ikamvalethu Day Care Centre
Refihlile forum
Lemon to Lemonade Day Care
Reamohetswe Day Care Centre and Preschool
Katlego day care
Fatyela pre-school and ECD
Ithute day Care and PRESCHOOL
Progressive ECD Forum
Injabulo ECD
New ithemba labantwana ECD forum
Nobuntu DayCare
Salem Day Care Centre
Jubilee Day Care
Grace Day Care