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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. R. 4993 **26 June 2024**

CHILDREN'S ACT, 2005 (ACT NO. 38 OF 2005)

AMENDMENT GENERAL REGULATIONS REGARDING CHILDREN

I, **Lindiwe Zulu**, the Minister responsible for Social Development, having called for, and obtained public comments, and having considered these, made amendments in terms of section 306 of the Children's Act 38 of 2005 as amended, to the General Regulations Regarding Children, 2010 in the Schedule in English and other official languages.

.....
Ms Lindiwe Zulu, MP
Minister of Social Development

SCHEDULE

GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing regulations.

_____ Words underlined with a solid line indicate insertions proposed for the regulations.

CHAPTER 7
NATIONAL CHILD PROTECTION REGISTER

Insertion of regulation 42A

1. The following regulations are inserted after regulation 42 of the General Regulations Regarding Children, 2010:

"42A Definition

"In this Chapter, notwithstanding any other provision in these Regulations, "**Registrar"** shall mean the Registrar of the National Child Protection Register who is the person designated by the Director-General in terms of section 142 of the Act.

"42B Notification of convictions to be reported to Registrar

(1) A notification of a conviction contemplated in section 122(1A) of the Act must be forwarded to the Registrar of the National Child Protection Register within 30 days of the conviction.
(2) A notification contemplated in subregulation (1) must-
(a) be contained in a sealed envelope marked confidential or be submitted electronically;
(b) indicate whether any appeal or review of the conviction has been lodged by the affected person or is likely to be lodged;
(c) reflect the particulars set out in section 119 of the Act, of the person found in terms of section 120 of the Act to be unsuitable to work with children; and
(d) be in a form identical to **Form 27A."**

Insertion of Part III in the heading of Chapter 7 of General Regulations Regarding Children, 2010

2. The following heading is inserted after Part II of Chapter 7 of the Regulations

"Part III
Powers, Duties and Responsibilities of Registrar of National Child Protection Register"

Insertion of regulation 46A

3. The following regulations are inserted after regulation 46 in Chapter 7 of the Regulations:

46A Powers, duties and responsibilities of Registrar

(1) The Registrar of the National Child Protection Register must exercise the powers, duties and responsibilities in accordance with the provisions of the Act and these Regulations.
(2) The Registrar must, subject to the provisions of the Act ensure that-
(a) only an authorised official has access to those parts of the register as determined in the Act;
(b) access to the register is granted for official purposes only, and in compliance with the legislation regulating the protection of personal information;
(c) an application for the removal of a person's details from the register which might require changes to entries made, is considered as soon as possible but not later than 30 days after receipt of such application; and
(d) quarterly reports on Part A and Part B of the National Child Protection Register are submitted to the Director-General.

(3) The Registrar must, subject to the provisions of the Act, the Criminal Law (Sexual Offences and Related Matters) Amendment Act 23 of 2007 and these Regulations-
(a) investigate any complaint regarding an entry made into the National Child Protection Register;
(b) update the National Child Protection Register database quarterly; and

(c) annually report to the Director-General any changes that may be required in respect of any entry made into the National Child Protection Register."

Insertion of Chapter 9A General Regulations Regarding Children, 2010

4. The regulations are hereby amended by the insertion after Chapter 9 of the following:

"CHAPTER 9A

CHILD CARE AND PROTECTION UNITS

51A Criteria for establishing and resourcing of child care and protection units –

(1) The MEC for social development must:

(a) within 60 months of coming into operation of these Regulations establish child care and protection units at provincial, district, regional and service delivery levels.

(b) ensure that there is adherence to the prescribed staff ratios when the child care and protection units are staffed; and

(c) provide human, capital, technical, administrative, infrastructure, information and communication management systems, and other required resources to a child protection unit from monies appropriated by the provincial legislature.

(2) The provincial head of social development must ensure that a child protection unit is constituted of the following:

(a) prevention and early intervention services;

(b) services to children exposed to violence, child abuse, neglect and exploitation;

(c) temporary safe care, foster care, child and youth care centres;

(d) services to orphans and vulnerable children;

(e) adoption services;

(f) probation services; and

(g) quality assurance, monitoring and evaluation services.

(3) The manager of a child care and protection unit must-

(a) at a provincial level –

(i) maintain provincial profiles on partial care, prevention and early intervention services, child protection, adoption, child and youth care centres, and drop-in centres;

(ii)ensure that there is compliance with the Act, regulations and norms and standards;

(iii)conduct quality assurance, monitoring and evaluation of child care and protection services; and

(iv) provide oversight on the movement of children within the alternative care system.

(b) at, district, regional level-

(i) maintain historical and current up-to-date information on the status of all children in alternative care;

(ii) maintain up-to-date records of cases of child abuse, neglect, exploitation, child abandonment and violence against children reported to the National Child Protection Registrar;

(iii) monitor and report on the implementation of the Act;

(iv) maintain a record and monitor interventions rendered in respect of any death and serious injury of a child at a partial care facility, child-headed household, alternative care; and drop-in centre;

(v) manage, maintain and monitor an electronic reminder system for all children in alternative care; and

(vi), manage, maintain and monitor a register of:

(aa) all child and youth care centres;

(bb) all cluster foster care schemes;

(cc) all drop-in centres;

(dd) all designated child protection organisations;
(ee) all adoption social workers in private practice;
(ff) all children living in child-headed households, children with disabilities, children living and working in the streets, children placed in foster care, cluster foster care, temporary safe care, and child and youth care centres; and in drop in centres;
(gg) reported cases of child abandonment, abuse, neglect and exploitation including child labour, child marriages, child trafficking and online violation.
(hh) all letters issued in terms of section 239(1)(d) of the Act;
(ii) persons, premises, facilities, and places approved to provide, foster care, cluster foster care, temporary safe care, child and youth care centres;
(jj) administrative orders, notices and determinations issued in terms of the Act; and
(kk) unaccompanied and separated migrant children who are in alternative care.

(ll) monitor interventions rendered in respect of cases of child abuse, neglect, exploitation, child abandonment and violence against children reported to the National Child Protection Registrar;

(mm) manage, maintain, and monitor an electronic reminder system for all children in alternative care and other court orders issued by court; and

(nn) conduct quality assurance, monitoring and evaluation of child care and protection services.

(c) at a service delivery level-
(i) a social service practitioner must provide child care and protection services as contemplated in the Act; and
(ii) a statutory service social worker must-
(aa) facilitate taking place of multi-disciplinary panel meetings; and
(bb) monitor the implementation of the decisions made at the panel meetings.
(cc) manage, maintain and monitor a register of-
(i) finalised children's court cases, final court reports, including adoption and inter-country adoption;
(ii) all court orders issued; and minutes of court proceedings;
(iii)reviewed and extended court orders; and
(iv) all alternative administrative care orders issued;
(dd) provide oversight on the movement of children within the alternative care system;
(ee) approve screened persons, facilities, places or premises that provide temporary safe care.
(ff) maintain historical and current up-to-date information on the status of all children in alternative care;
(gg) maintain up-to-date records of cases of child abuse, neglect, exploitation, child abandonment and violence against children reported to the National Child Protection Registrar;
(hh) monitor and report on the implementation of the Act;
(ii) maintain a record and monitor interventions rendered in respect of any death and serious injury of a child at a partial care facility, child-headed household, alternative care; and drop-in centre;
(jj) manage, maintain and monitor an electronic reminder system for all children in alternative care; and
(kk) manage, maintain and monitor a register of-

(i) all child and youth care centres;
(ii) all cluster foster care schemes;
(iii) all drop-in centres;
(iv) all designated child protection organisations;
(v) all adoption social workers in private practice;

(vi) all children living in child-headed households, children with disabilities, children living and working in the streets, children placed in foster care, cluster foster care, temporary safe care, and child and youth care centres; and in drop in centres

(vii) reported cases of child abandonment, abuse, neglect and exploitation including child labour, child marriages, child trafficking and online violation.

(viii) all letters issued in terms of section 239(1)(d) of the Act;

(ix) persons, premises, facilities, and places approved to provide, foster care, cluster foster care, temporary safe care, child and youth care centres;

(x) administrative orders, notices and determinations issued in terms of the Act; and

(xi) unaccompanied and separated migrant children who are in alternative care.

(xii) monitor interventions rendered in respect of cases of child abuse, neglect, exploitation, child abandonment and violence against children reported to the National Child Protection Registrar;

(xiii) manage, maintain and monitor an electronic reminder system for all children in alternative care and other court orders issued by the court; and

(xiv) conduct quality assurance, monitoring and evaluation of child care and protection services.

(4) The provincial head of social development must ensure that the child care and protection unit:

(a) conduct research to establish trends, identify challenges and devise remedial actions;

(b) facilitate and conduct training and development for social service practitioners rendering child care and protection services; and

(c)conduct quality assurance in accordance with the quality assurance framework as contemplated in subregulation 32A.

(5) The provincial head of social development must ensure that the child care and protection units are provided with-

(a) adequate office space;

(b) adequate facilities for persons with disabilities;

(c) adequate personnel;

(d) adequate information technologies' infrastructure, tools of trade including laptop computers, communications devices, data bundles, printing and scanning facilities; and vehicles or access to vehicles; and

(e) adequate budget for purposes of delivering on its services or functions."

Amendment of regulation 56 of General Regulations Regarding Children, 2010

5. Regulation 56 is hereby amended by-

(1) the substitution of regulation 56 for the following:

56 Abandoned or orphaned children

"(1) If it appears to a designated social worker that a child has been abandoned or orphaned whether for purposes of determining if such child is in need of care and protection or if such child can be made available for adoption, such social worker must cause **[an advertisement]** a notice identical to **Form 38B** to be: **[published in at least one local newspaper circulating]**

(a) placed on a notice board at the local office of the department of social development or designated child protection organisation;

(b) published on the website of the relevant provincial department of social development.

(c) The notice referred to in subregulation (a) must-

(i) sufficiently identify the name and birth date of the child without disclosing the identity number of the child;
(ii) not display any picture of the child concerned;
(iii) provide the place at which the child was suspected to have been abandoned or found;
(iv) have descriptive features of the child; and
(v) **[calling upon any person to claim responsibility for the child]** invite persons who claim responsibility for the child, to provide proof of their relationship to child, and to lodge the claim with the designated social worker.

(2) The Social Worker, upon receipt of the lodged claim contemplated in 1(e), must establish the relationship between the child and establish the suitability of the person who claims responsibility for the child.

(3) In determining whether a child has been abandoned or orphaned for purposes of section 150(1)(a) of the Act, a presiding officer must-
(a) be satisfied that the **[child has been abandoned or orphaned]:**
(i) report submitted by the designated social worker as contemplated in section 155 of the Act indicates that such child has been abandoned or orphaned; and
(ii) prescribed period referred to subregulation (b) has lapsed, and no person has claimed responsibility for the child;

(b) be furnished with proof that a copy of the **[advertisement]** notice was published or displayed as contemplated in subregulation (1) and be satisfied that, for the purposes of-

(i) section 150(1)(a) of the Act, a period of at least one month has lapsed since the publication of the **[advertisement]** notice contemplated in subregulation (1); or

(ii) section 157(3) of the Act, a period of at least three months has lapsed since the publication of the **[advertisement]** notice and that no person has claimed responsibility for the child."

Insertion of following regulations after regulation 56C of General Regulations Regarding Children, 2010

"56D Screening, assessment, investigating, referring and placement of child in need of care and protection

6. A child who enters the child protection system must be screened and where applicable, assessment be conducted, circumstances be investigated and referred to the relevant authorities and placed in accordance with the procedures set out in the Regulations.

56E Procedure for screening of child

7.(1) A child who enters the child protection system as contemplated in regulation 56A, must be-
(a) reported to a social service practitioner practicing within the locality of where the child has been found;
(b) be screened by a social service practitioner in accordance with the social service norms and standards and guidelines; and
(c) screened by a social service practitioner who must be completed in a form identical to **Form 38C.**
(2) A social service practitioner who screened the child in accordance with the provisions of this regulation must-
(a) complete a form identical to **Form 38C** in respect of that child; and
(b) if satisfied that the safety and well-being of the child is at risk, refer that child to a designated social worker by completing a form identical to **Form 38D.**

56F Procedure, for assessment and investigation of the circumstances of child in need of care and protection

8. A designated social worker referred to in regulation 56B must:
(a) assess the child referred by the social service practitioner to determine the needs of the child;
(b) assess whether there are any developmental, therapeutic and other needs of the child;
(c), if satisfied that the child is in need of care and protection, investigate the personal and social circumstances of the child in accordance with section 155(2) of the Act;
(d) upon conclusion of the investigation, and if satisfied that the child is in need of care and protection, submit a report in the form identical to **Form 38** to the children's court; and
(e) ensure that any directive of the children's court is executed and recorded in the case file of the child.

56G Referral of child to relevant authorities and services

9. (a) The designated social worker must -where it is suspected that a crime was committed in relation to a child, report the matter to a police official; and
(b) where applicable refer the child to –
(i) the relevant health services institution;
(ii) the relevant psycho-social service provider; or
(iii) any other suitable person for further assessment and intervention, utilising a referral form identical to **Form 38E**.

56H Management of the duration of alternative care orders

10.(1) The supervisor of a designated social worker must monitor and supervise all orders, and where necessary, notify that designated social worker of any orders that may lapse within 90-days.

(2) A designated social worker, where an order placing the child in alternative care is about to lapse, must within 90 days of the lapsing of such order:
(a) assess the child to determine progress made regarding the care and protection of the child;
(b) make a recommendation to the children's court regarding the possible extension of the placement order; and
(c) where required, ensure that the child and any other person required as directed by the children's court, is brought to the children's court for any hearing of the matter.
(3) A designated social worker who is required to report to the children's court regarding the possible extension of a court order, must within 90 days:
(a) compile a report in the form identical to **Form 38F**; and
(b) provide in the report referred to in (a) the findings, circumstances and the reasons for the recommendations made in respect of any extension of the alternative care order.
(4) The provincial head of social development must ensure:
(a) that the relevant designated social worker complies with the provisions of section 159 of the Act in respect of a court order that is about to, or has lapsed; and
(b) that no child whose court order has lapsed, is discharged without an order of the children's court.
(5) All foster care orders that were valid on 30 June 2024 which would have lapsed if not extended by the court shall be deemed valid after 30 June 2024 until extended by the court".

CHAPTER 13
FOSTER CARE

Part II
CLUSTER FOSTER CARE
Amendment of regulation 67 of General Regulations Regarding Children, 2010

11. The heading to Regulation 67 of the Regulations is hereby amended as follows:

"**Requirements for approval of *designated child protection* organisation *and provincial department* to manage and provide cluster foster care**

12.(1) Paragraph (a) of Regulation 67 of the Regulations is hereby substituted for the following paragraph:
(a) is a designated child protection organisation **[registered as a non-profit organisation in terms of the Non-profit Organisations Act, 1997 (Act 71 of 1997)];** and
Regulation 67 of the Regulations is hereby amended by the insertion of the following sub-regulations:

2(A) Prior to establishing an additional cluster foster care scheme services in a province the management of a designated child protection organisation must-

(a) consult the relevant provincial head of social development; and
(b) provide any records or report that the provincial head of social development may request in order to determine if there is a need to establish additional cluster foster care schemes.

2(B) Construction of any building of a cluster foster care may be commenced with only after obtaining prior written approval from the relevant local municipality and from the provincial head of social development as contemplated in subregulation (1)(b).
2(C) In the event that a cluster foster care scheme is constituted of existing homes, such envisaged cluster foster care scheme may be approved only if the said houses are allocated with separate erven and have distinct addresses.
(2) Sub-regulation (4) of Regulation 67 of the Regulations is hereby substituted for the following sub-regulation:
"Where a **[non-profit organisation]** designated child protection organisation seeks registration for more than one cluster foster care scheme, such organisation must complete a form in respect of each scheme.".

Amendment of regulation 69 of General Regulations Regarding Children, 2010

13. The following is substituted for subregulation 69(1) of the Regulations-
(1) A **[non-profit organisation]** provincial department of social development or a designated child protection organisation managing or operating a cluster foster care scheme must, in respect of schemes under its management or operation-
(a) keep proper financial records of all social assistance and other monies received for the provision of social services for the support of the foster children placed in such scheme by a children's court; and
(b) operate or be managed according to a written plan or agreement containing details-
(i) of the financial management, the programmes and services to be delivered in terms of that plan or agreement;
(ii) about the system of assessment of children placed in cluster foster care and their placement with active members of the scheme who are to be assigned responsibility for them;
(iii)on how disputes concerning the management, operation or day to day functioning of the scheme are to be resolved, and how decisions are to be taken regarding transfer of children between, or placement with, *active member in a cluster foster care scheme* assigned responsibility for foster children;
(iv)on the management of the behaviour of children in cluster foster care, and must include a prohibition of any form of violence, child abuse, neglect and exploitation, physical punishment, humiliating or degrading forms of discipline of such children;
(v) relating to mechanism by which foster children in a cluster foster care scheme can report any complaint regarding violence, child abuse, neglect and exploitation **[.]**; and
(vi) database of all the active members who are part of the cluster foster care scheme."

Amendment of Regulation 71 of General Regulations Regarding Children, 2010

14.(1) Regulation 71 is hereby amended by the substitution of the regulation for the following regulation:

"71.(1) A cluster foster care scheme must promote the best interests of the children in cluster foster care by providing services which-

(a) provide support, mentoring, supervision and advice to active members of **[the organisation]** a cluster foster care scheme to whom responsibility for foster care of a child or children in the cluster foster care scheme has been assigned;

(b) require the care-givers of **[an organisation]** a cluster foster care scheme to whom responsibility for foster care of children has been assigned to:

(i) ensure that the children in cluster foster care benefit from educational, recreational, developmental, therapeutic, psycho-social support and health services, including early childhood development services;

(ii) **[fulfill the special needs of any child]** provide services for children with special needs in cluster foster care, including chronic illness or a disability, by providing psychological, rehabilitation and therapeutic programmes for children with such needs;

(iii) ensure that the rights of children in cluster foster care are respected, protected, promoted and fulfilled; and

(iv) fulfil the social, cultural, gender, sexual orientation, race and religious needs of any child in cluster foster care;

(c) assist the active members of an organisation to whom responsibility for foster care of children has been assigned to obtain the basic necessities of life themselves, including by providing access to income-generation projects and skills development programmes as appropriate;

(d) ensure that a foster care plan as contemplated in section 188(1)(e) of the Act is compiled, in accordance with Form 38(G) in respect of each child in cluster foster care, as soon as possible, but not later than 21 days after the child's placement in the cluster foster care scheme;

(e) develop appropriate parenting skills and the capacity of active members of an organisation to safeguard the well-being of the children, including the promotion of positive, non-violent forms of discipline;

(f) prevent the violence, child abuse, neglect, exploitation, **[abuse]** inadequate supervision of children or other failures to meet children's needs on the part of active members of an organisation;

(g) assist a young person with the transition when leaving cluster foster care after reaching the age of 18; **[and]**

(h) involve active members of **[an organisation]** a cluster foster care scheme, as well as the children in cluster foster care, in identifying and seeking solutions to their problems**[.]**;

(i) assist a young person with the transition when leaving cluster foster care after reaching the age of 18; and

(j) rehabilitation, reconstruction, reunification, re-integration and where applicable repatriation of the child.

(2) By the insertion of subregulations (2), (3) and (4) respectively after subregulation (1) of regulation 71:

"(2) A cluster foster care scheme must keep a record of the movement of foster children amongst the active members.

(3) a registered cluster foster care scheme can have more than six children but not more than 60 children per scheme.

(4) The provisions of subregulation (3) must not apply for siblings that require to be placed in foster care as prescribed in section 185(1)(a) of the Act.".

Transitional measures

15. Cluster foster care schemes that are already registered but do not comply with these regulations, must no longer accept further placements of foster children in their care. These can operate until all the children currently in their care turn 18 years or turn 21 years for furthering their education or their placement is terminated by the children's courts.

Short Title and commencement

16. These regulations are called the Amendment Regulations Regarding Children, 2024 and come into force on 1 July 2024.

SCHEDULE OF AMENDMENT FORMS

FORM No.	Regulation No.	Contents
27A	42B	Notification of convictions for inclusion in Part B of National Child Protection Register
38B	56	Notice of abandoned/ orphaned child
38C	56E	Screening and reporter form
38D	56E	Referral for assessment
38E	56G	External referral form
38F	56H	Report for extension of court order
38G	71(1)(d)	Foster Care Plan

FORM 27A

NOTIFICATION OF CONVICTIONS FOR INCLUSION IN PART B OF NATIONAL CHILD PROTECTION REGISTER

(Regulation 42B)

TO: The Registrar of the National Child Protection Register

Department of Social Development

Private Bag X901

Pretoria

0001

In terms of section 122 (1A) of the Children's Act, (No. 38 of 2005), you are hereby advised that a conviction has been made by a court that a certain person is unsuitable to work with children in terms of section 120 (4), (4A) and (5). Kindly include the following particulars of this person in Part B of the National Child Protection Register.

<table>
<tr><td colspan="7">1. PERSON IS UNSUITABLE TO WORK WITH CHILDREN:</td></tr>
<tr><td colspan="7">Title:</td></tr>
<tr><td colspan="3">Surname:</td><td colspan="4">Full name(s):</td></tr>
<tr><td>Gender:</td><td>M</td><td>F</td><td>Date of Birth:</td><td>DD</td><td>MM</td><td>CCYY</td></tr>
<tr><td colspan="7">* He / she is also known as:</td></tr>
<tr><td colspan="3">* Identity no:</td><td colspan="4">* Passport no:</td></tr>
<tr><td colspan="3">* Driver's license no:</td><td colspan="4">* Prisoner Identity no:</td></tr>
<tr><td colspan="3">Last known physical address:</td><td colspan="4">Postal Address:</td></tr>
<tr><td colspan="2">Province:</td><td colspan="2">District Municipality:</td><td colspan="3">Local Municipality:</td></tr>
</table>

2. CHILD DETAILS: (Victim)						
Surname of child			Full name(s) of child			
Gender:	M	F	Date of Birth:	DD	MM	CCYY
			*Age / Estimated Age:			
* ID no:			* Passport no:			
* Disability:	Applicable	Not Applicable	Disability type: _____			
Physical Address:			Postal Address:			
Province:	District Municipality:		Local Municipality:			

3. SAPS DETAILS
Name of Police Station:
Physical Address:

CAS/CR/MAS/MR No:	Case No:
Investigating officer:	Contact No:

4. COURT DETAILS				
Court details which convicted the offender:				
Court Name:				
Court Type:	Court Case no:			
Court Address:				
Sentence imposed:	Type of offence:			
	Place of offence:			
	Date of offence:	DD	MM	CCYY
	Date of conviction:	DD	MM	CCYY
	Date of sentence:	DD	MM	CCYY
Guilty: □ Yes □ No	* Name of the Prison:			

5. APPEAL AGAINST OR REVIEW OF THE CONVICTION

Appeal approved by the court:	□ Yes	□ No
If Yes, Complete the following:		
□ has been lodged by the convicted person on ...DD... /...MM..../...CCYY... (date);		
□ is likely to be lodged by the convicted person;		
□ has not been lodged by the convicted person		

6. ATTACHED DOCUMENTS:
The following additional particulars are attached:
□ court order
□ Court minutes (proceedings)

Yours sincerely

_____

(Signature of official)

_____

(Date)

Official Stamp

FORM 38B

Notice of Abandoned/Orphaned Child
(Regulation 56(1)

To: The public/members of interested family/affected parties

Municipal District of .....in
.....Province, Republic of South Africa

Date of Publication:.....

KINDLY take notice that on.....a male/female child who apparently is abandoned or orphaned was reported to the local department of social development/designated child protection organisation/hospital/police station at.....(place).

KINDLY TAKE NOTICE further that a designated social worker, Name and surname :.....Office
Address.....Tel:...../Mobile.....email address:.....
has been appointed to handle the matter of the above child.

The child's details are apparently as follows:

Child's Name and surname:.....

Child's estimated age:.....years;

Gender: Male/Female/other;

Nationality:.....

Race Group:.....

Name of guardian/parent (where applicable)

Last known address: .....

Reasons for issuing the notice: .....

KINDLY FURTHER TAKE NOTICE that this notice will be published also on the website of the provincial department of social development, and may be removed once the child has been positively identified alternatively placed into relevant child protection or re-united with parents.

IF YOU OR ANY PERSON KNOWN TO YOU may be familiar with or known to the child, kindly contact the above designated social worker or the nearest police station.

KINDLY FURTHER note that should no person claim the child within 30-days hereof, the child may be made available for foster care/adoption or other child protection measure at the discretion of the Children's Court.
in the meantime mentioned below, is currently investigating the possibility of

NB: The designated social worker may be contacted for further enquiries on the contacts stated above.

For Public Notice
Issued by: Provincial Head of Social Development: .....Province

[official date stamp of office where publication is made

FORM 38C
(Regulation 56E)

CW 02 FORM

SCREENING AND REPORTER FORM

CONFIDENTIAL

Complete at screening for each person reporting a case or on behalf of a child. Recommended to be completed by Social Service Practitioner

Screening Office:	Address..... Province..... Name and surname of Social Service Practitioner..... Office Tel:...../ Mobile No:.....

Section 1: Details of person reporting a case *Briefly explain to the reporter your name, title and details of the organization. Indicate that you are going to ask some basic information about the reporter, in the event that the Social Worker would need to contact him/her at a later stage to gain additional information. Indicate to the reporter that the information shared will be confidential and that the reporter can choose to remain anonymous*			
Select anonymity preference of reporter	Reporter wishes to remain anonymous ☐ Yes ☐ No	Reasons for preference (if relevant)	Disability: ☐ Yes ☐ No ☐ Unknown
Relationship with client	☐ Relative ☐ Neighbor / Family friend ☐ Teacher ☐ Health Professional	☐ Community Based Organization representative Labour inspector Religious leader ☐ Other, specify _____	
Name and Surname of reporter (if not anonymous)		Contact details (telephone/address)	
Name of organization (if applicable)			

Section 2: Details of case / client. *Complete all available information. If information is not known write "not known" in relevant section*					
First Name(s)			Surname		
Date of birth (if not available estimated age):			Address		
Gender	☐ Male ☐ Female ☐ Other ☐ Non-Binary ☐ Preferred not to specify	Nationality	☐ South African ☐ Other, specify:	Racial Group	☐ Black ☐ Coloured ☐ Asian/Indian ☐ White ☐ Other

Section 3: Relevant information about the issue provided by the reporter. *Describe all relevant information as provided by the reporter and write the observations made during screening.* Complete the questions provided below according to the responses provided by the reporter.

Section 3(b): CHILD'S CIRCUMSTANCES TICK THE APPLICABLE RESPONSE FROM THE REPORTER TO EACH OF THESE QUESTIONS TO DETERMINE WHETHER THE CHILD MAY BE IN NEED OF CARE AND PROTECTION IN LINE WITH THE PROVISION OF SECTION 160 OF THE CHILDREN'S ACT AND REGULATION 56(b)(1)

1	Has the child experienced physical abuse that the caregiver is aware of? (e.g. Hit, beaten, stabbed, suffocated, punched)	☐ Mostly ☐Some of the time ☐ Mostly not ☐ Not at all
2	Does the child get hit / slapped / pinched by the caregiver when she/he is naughty?	☐ Mostly ☐Some of the time ☐ Mostly not.☐ Not at all
3	Has the child ever told the caregiver that she or he was touched in a sexual way or was made to have sex with anyone?	☐ Mostly ☐Some of the time ☐ Mostly not.☐ Not at all
4	Is the child exposed to exploitation, cybercrime, child trafficking, commercial sexual exploitation, child marriage, child labour, being used by adults to commit crime, being sold by a caregiver?	☐ Mostly ☐Some of the time ☐ Mostly not.☐ Not at all
5	How often does the child feel scared/unsafe at home, school or in the neighbourhood?	☐ Always ☐ Mostly ☐ Mostly not ☐Some of the time
6	Is the child belittled, bullied or stigmatized at home, school and or in the community?	☐ Mostly ☐Some of the time ☐ Mostly not.☐ Not at all
7	Has the child seen people that are fighting, screaming, or hurting each other at your home or where you often visit?	☐ Mostly.☐ Always ☐ Mostly not ☐Some of the time
8	Is the child vulnerable e.g. orphaned, abandoned etc.? (refer to page 17 of the Child Care and Protection Policy for a comprehensive list of vulnerable children)	☐ Yes ☐ No ☐ Do not know
9	How often is the child in trouble with the caregiver, peers, teachers or other community members?	☐ Mostly ☐Some of the time ☐ Mostly not.☐ Not at all
10	Is the child currently using any form of substance abuse (e.g. alcohol, taking drugs)?	☐ Mostly ☐Some of the time ☐ Mostly not.☐ Not at all
11	Is the child treated differently from other children in the household?	☐ Mostly ☐Some of the time ☐ Mostly not ☐ Not at all
12	Is there an adult in the household that knows where the child is at all times, that loves and cares for him/her? (e.g. sings, tells stories, reads to, talks to)	☐ Mostly ☐Some of the time ☐ Mostly not.☐ Not at all
13	Does the child receive supervision and personal time with the caregiver, physical care and encouragement from the caregiver or any other family member? (e.g. at home, when playing with friends, doing his/her homework etc).	☐ Mostly ☐Some of the time ☐ Mostly not☐ Not at all
14	Does the child take part in sport, structured social, cultural or religious activities?	☐ Mostly ☐Some of the time ☐ Mostly not
15	Does the child perform well at school?	☐ Mostly ☐Some of the time ☐ Mostly not
16	Can the child find ways to solve a problem that he/she is faced with?	☐ Mostly ☐Some of the time ☐ Mostly not
17	Is the child's general emotional state good?	Mostly ☐Some of the time ☐ Mostly not
18	Does the child have obvious psychological difficulties?	☐ Yes ☐ No ☐ Do not know
19	Does the child feel sad or worried?	☐ Mostly ☐Some of the time ☐ Mostly not.☐ Not at all
20	Has a child experienced loss and or trauma?	☐ Yes ☐ No ☐ Do not know
21	Does the child have a Road to Health Card?	☐ Yes ☐ No ☐ Do not know
22	Does the child have a chronic illness?	☐ Yes ☐ No ☐ Do not know
23	Does the child's household have a source of income?	☐ Yes ☐ No ☐ Do not know
24	Is the child a grant recipient?	☐ Yes ☐ No ☐ Do not know
25	Is there enough food for everyone in the household?	☐ Mostly ☐Some of the time ☐ Mostly not

Section 4: Action taken			
Internal referral	☐ Yes	Name of official referred to:	
Referral to external organization	☐ Yes	Name of organization referred to:	
Other	☐ Yes	If other, please specify	
Feedback: Date of receipt of the feedback			

SSP Name and Surname	Signature	SACSSP Number	Date

Form 38D

(Regulation 56E)

Referral for Assessment

Office Issuing	District Office: ..... Province:..... Name of Social Service Practitioner:..... Contacts: Tel:.....Email:.....
Details of Child	Name:.....Surname:..... Date of Birth:.....Gender:..... Race:..... Parent/Guardian (if known).....
Details of Screening	Date/period of screening:..... Details of reporting of the Child:..... .... Findings following screening:..... ....
Intervention measures proposed	I propose that you consider:..... ....
Referral:	I, ...in my capacity as social auxiliary worker/social service practitioner/social worker, SACSSP number:.....with contact details: Tel: .....email:..... ....., hereby refer the above-named child to you for further assessment and intervention..... .... Signed by:.....date:.....
OFFICIAL STAMP	

CW 04B

Form 38E

(Regulation 56G)

EXTERNAL REFERRAL FORM

CONFIDENTIAL

To be completed in all instances where a client is referred to an external service provider. Provide Client with original copy of referral and keep copy of referral either on client's file or on Referral file

Case referred from			
Service Point(Province)		**Tel**	

Case referred to			
Organisation name		**E-mail**	
Physical Address		**Tel**	

Referral of client

Dear Sir/ Madam

The below named consulted our offices on _____. You are requested to assist him / her with services linked to the following (*mark X where applicable)*

Social Welfare Services (Focus areas)

☐ Poverty alleviation	☐ Care and protection of Vulnerable Groups – Persons with Disabilities
☐ Social integration	☐ Prevention, Care and Support of Substance abuse
☐ Family preservation	☐ Prevention, Care and Support of HIV and Aids
☐ Social Crime Prevention	☐ Mental Health/Psychosocial
☐ Victim Empowerment	☐ Other (specify)
☐ Care and protection of Vulnerable Groups – Children	_____

Other services

☐ Grants	☐ Shelter for victims of violence
☐ Food and nutrition	☐ Police
☐ Education	☐ Legal assistance
☐ Health	☐ HIV services
☐ Other (specify)	
_____	

Details of the client			
Client name**		**Contact number/s**	

DSD Reference Number		**Identity no**	
Gender	☐ Male ☐Female ☐ other o	**If foreign national, complete section below**	
Date of Birth		**Type of identification**	
Address, including district		**Country of origin**	
		Language spoken	
Parent/guardian/caregiver name **			

*** For confidentiality purposes, social service practitioner may complete only the preferred first name that the client/caregiver wishes to be used. If there are concerns for safety or confidential information included below, do not complete identifying details such as name, and ID/DSD reference number*

Risk Level **Response required within**	☐ Emergency 24 hours	☐ High 48 hours	☐ Mild 5 days

Consent and information sharing		
Describe preferred way to contact the client and any restrictions on contacting the client		
Has the client consented to share information with the service provider?	☐ Yes ☐ No	If yes, add signature

Briefly describe service required and any relevant information that client has consented to share with service provider. *Ensure sufficient information is provided for service provider to provide relevant service; avoid sharing details not required for the provision of that specific service.*

Feedback required from service provider	Date Feedback required
☐ Yes ☐ No	

SW/SAW Name and Surname	Signature	SACSSP Number	Date

FORM 38F

REPORT FOR EXTENSION OF COURT ORDER

(Regulation 56H)

REPORT FOR EXTENSION OF COURT ORDER IN TERMS OF SECTION 159 OF THE CHILDREN'S ACT 38 OF 2005 AS AMENDED

1. IDENTIFYING DETAILS OF THE CAREGIVER

a) Foster care

Name and surname	ID number	Address

b) Child and youth care centre

Name of the child and youth care centre	Address

1.1. Dependent child(ren) of the foster parent(s)

Full name(s)	Gender	Date of birth/identity number

1.2. Other persons living with the foster family

Full name(s)	Gender	Date of birth/identity number

1.3. Children in alternative care

Names of child(ren)	DOB	Gender	Name of the School/Partial care	Grade/ECD

1.4. Full residential address of the alternative caregiver

_____

_____

1.5. Details of designated organisation:

Name of the organisation (DSD/CPO/Other dept): _____

Reference number: _____

Magisterial district: _____

Court reference Number: _____

2. INTRODUCTION (Describe the reasons for finding the child(ren) in need of care, previous statutory interventions of the child(ren) in alternative care and duration of the current placement)

_____

_____

_____

_____

3. PRESENT CIRCUMSTANCES OF THE CAREGIVER

3.1. Foster care (Provide information on the work and finances, religious, social, physical, psychological aspects circumstances of the foster parents' own children and family relationships in the foster family, with special reference to the foster children)

_____

_____

_____

_____

_____

3.2 CHILD AND YOUTH CARE CENTRES (Describe the programmes provided)

_____

_____

_____

_____

_____

4. VIEWS OF THE CAREGIVER REGARDING THE CHILD(REN) IN ALTERNATIVE CARE (Reflect emotions, feelings, preferences, personal needs and any other relevant observations)

_____

_____

_____

_____

_____

4.1. Support and services that were provided to the caregivers (Indicate the type of support and services provided to the caregivers whilst the child was still in alternative care)

Date	With whom	Types of services and support

5. VIEWS OF THE CHILD(REN) CONCERNED (Reflect emotions, feelings, preferences, personal needs and any other relevant observations by child(ren))

5.1. Services and support rendered to the children in alternative care (As indicated in the care plan)

Date	With whom	Types of services and support

5.2. Progress made by the child(ren) since the placement

5.3. Do the reasons for the removal of the child(ren) still exist?

5.4. Educator / ECD practitioner's impressions of the concerned child(ren) progress and adjustment (Provide a school report, interviews conducted with teachers/ principal)

6. VIEWS OF THE PARENT(S)/FAMILY MEMBER (Reflect emotions, feelings, preferences, personal needs and any other relevant observations)

6.1. Contact between caregiver, parent(s)/ family member and the concerned child(ren) (Frequency, nature of interaction)

6.2. Support and services provided to the parents.

Date	With whom	Types of support and services

6.3 If the parents are deceased, was the possibility of adoption discussed and considered? (Give reasons for not considering the option)

7. RESULTS ACHIEVED THROUGH SERVICE RENDERING

8. EVALUATION

9. CARE PLAN (attach reviewed care plan)

Short-term

Long-term

10. CONCLUSION

11. RECOMMENDATION

SOCIAL WORKER: _____

RANK: _____

DATE: _____

ORGANISATION:

Name: _____

Address: _____

Reference Number: _____

FORM 38(G)

Regulation 71(1)(d)

(SECTION 188(1)(e) OF THE CHILDREN'S ACT 38 OF 2005)

Note: If more than one child in a family is to be placed his one foster parent only one agreement needs to be completed in respect of all the children.

Part A: Particulars of biological parent(s) or guardian(s)

Parent 1

Surname	
Full names	
ID No./Date of birth	
Residential address	
Contact number	
Work address	
Work telephone number	
Relationship to child(ren)	

Parent 2

Surname	
Full names	
ID No./Date of birth	
Residential address	
Contact number	
Work address	
Work telephone number	
Relationship to child(ren)	

Details of other family members or persons having an interest in the well-being of the child for children must be furnished on a separate page and attached to this Form as an annexure. Alternatively type these details using a table similar as the one above.

Part B: Details of foster parent/cluster foster care scheme

Foster parent 1*

Surname	
Full names	
ID No./Date of birth	
Residential address	
Contact number	
Work address	
Work telephone number	
Relationship to child(ren)	

Foster parent 2*

Surname	
Full names	
ID No./Date of birth	
Residential address	
Contact number	
Work address	
Work telephone number	
Relationship to child(ren)	

Cluster foster care scheme (CFC)*

Name of cluster foster care scheme	
Physical address	
Name of nonprofit organization which registered the cluster foster care scheme	
NPO number	
Cluster foster care scheme registration number	
Name of the cluster foster care scheme's representative	
Contact number	

Details of designated social worker

Surname	
Full names	
SACSSP No.	

Name of designated child protection agency (DSD service office/ designated child protection organisation)	
NPO number*	
Work address	
Work telephone number	

** If applicable*

Part C: Details of child or children in respect of whom foster care plan has been concluded

Details of child 1

Surname	
Full names	
ID No./Date of birth	
Residential address	
Residential address	
Contact number	

Details of child 1

Surname	
Full names	
ID No./Date of birth	
Residential address	
Residential address	
Contact number	

Details of additional children in respect of whom this co-operation agreement applies must be furnished on a separate page and attached to this Form as an annexure. Alternatively type these details using a table similar as the one above.

Part D: Details of responsibilities and rights in respect of child(ren) in foster care and services to be provided.

D.1 Please provide details concerning the day-to-day care of the child by the foster parent(s) and or the exercise by the foster parent(s) of parental responsibilities in respect of the child(ren).

D.2 Please provide details of matters on which the biological parent(s) or guardians must be consulted or may be required to provide their consent.

D.3 Please provide details concerning any agreed contact by political parents or family members or other persons having an interest in the child in foster care.

D.4 Particulars as to the reunification services to be provided by the designated social worker or designated child protection agency, role and responsibilities of biological parents and foster parents in relation to such services.

D.5 Particulars as to financial contributions to the child's maintenance and upbringing or schooling by the parent(s) or guardian(s).

D.6 Particulars as to the intervention, supervision and monitoring services to be undertaken by the designated social worker/designated child protection agency (DSD service office/ designated child protection organisation)

D.7 Particulars of the foster care plan

Part E: Any additional information

_____
_____
_____
_____

Part F: Views of the child

Has the child or have the children who is of sufficient age and maturity been given an opportunity to express their views in the formulation of this foster care plan and have these views been given due consideration.

☐ Yes ☐ No

Part G: Signatures

Date: _____

Name of biological parent(s)/guardian(s):_____

_____

Signature(s) of biological parent(s)/guardian(s)/ family member/ person having an interest in the well-being of the child:

_____

_____

Date: _____

Name of foster parent(s)/CFC representative: _____

_____

Signature(s) of foster parent(s)/CFC representative:

_____

_____

Date: _____

Name of designated social worker: _____

Signature of designated social worker or representative of the designated child protection agency (DSD service office/ designated child protection organisation):

_____

Part H: Order of court (where applicable)

I _____ (insert name) presiding in the children's court at _____ (insert place), hereby make the contents of this foster care plan an order of the court.

Signed: _____

Date: _____

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