



SA Childcare Association

Nurturing Winners!

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OPEN LETTER TO MINISTER LINDIWE ZULU, Minister of the Department of Social Development

Dear Ms Zulu,

1. Today we plead with you to grant an audience to the ECD and Partial Care Centres constituent under the Children's Act, and falling under your area of leadership.
2. As you are aware, the prevailing circumstances imposed nationally as a result of the Covid 19 outbreak has caused severe suffering and destruction on both an interpersonal level as well as in our economy nationwide.
3. The numerous media announcements made (supported by the official correspondences received) made us optimistic that a sense of normality could start to prevailing when it was repeatedly stated that EDC Centres would follow suit, in line with Basic Education in their back to school program, scheduled 6 July 2020.
4. It is however with great disappointment that we were informed that the rights of our sector comprising of vast amounts of children, EDC centres and numerous staff members are completely disregarded in the absence of any form of reason or transparency presented. We need your guidance and assistance to come to the aid of our Children and Centres and give us the opportunity to do what we do best, *i.e.* act in the best interest of our children as the future of our Country .

5. We want to remind you of the oath that you have taken when you were appointed in your position as leader and Minister overseeing the wellbeing of children. Also to act in the best interest of the children and citizens of South Africa in the EDC sector in line with our rights and needs envisaged in the Constitution.

6. We want to refer you to the most prominent human rights that find application in the present circumstances:

Section 1 of the Constitution:

7. Human dignity, the achievement of equality and the advancement of human rights and freedoms and the supremacy of the Constitution and the rule of law.

Section 7 of the Constitution:

8. The state must respect, protect, promote and fulfil the rights in the Bill of Rights.

Section 8 of the Constitution:

9. That the Bill of Rights applies to all law, and binds the legislature, the executive, the judiciary and all organs of state.

Section 9 of the Constitution:

10. Everyone is equal before the law and has the right to equal protection and benefit of the law which quality includes the full and equal enjoyment of all rights and freedoms to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.

Section 12 of the Constitution:

11. Everyone has the right to freedom and security of the person, which includes the right—not to be deprived of freedom arbitrarily or without just cause.

Section 21 of the Constitution:

12. Everyone has the right to freedom of movement.

Section 22 and 23 of the Constitution:

13. Every citizen has the right to choose their trade, occupation or profession freely. The practice of a trade, occupation or profession may be regulated by law and everyone has the right to fair labour practices.

Section 27 of the Constitution:

14. Everyone has the right to have access to—sufficient food and water; and social security, including, if they are unable to support themselves and their dependants, appropriate social assistance. The state must take reasonable legislative and other measures

Section 28 of the Constitution:

15. A child's best interests are of paramount importance in every matter concerning the child.

Section 29 of the Constitution:

16. Everyone has the right— to a basic education, including adult basic education; and to further education, which the state, through reasonable measures, must make progressively available and accessible.
17. We want to press upon you to remember that a substantial portion of these children, the food and nutrition needs attended to in the various ECD centres are the only meals that they rely on for their survival and wellbeing.
18. In addition, many of our employees and single parents reliant on the income derived from caring for the children as the only source of livelihood. Presently there is no prospect of enduring our operations on any level without any guidance or leadership as to what the expectations of us are.
19. To join issue with the aforementioned matter, it is of grave importance to appreciate that many individuals have returned to their place of employment and do not have sufficient resources to see thereto that the children are well taken care of, which instance might very well lead to much more exposure if children have to attend the working environment of their parents because there is no other means of accommodating them.

20. Last but certainly most importantly, we want to present you with important information presented by Doctor Fiona Kritzinger a pediatric pulmonologist from the Christiaan Barnard memorial hospital Chest an Allergy center who highlighted the following key factors in support of calls for children to be allowed back to school:

- a. less than 3% of COVID-19 infections or in children under the age of 18. Children are infected at a far lower rate than the adult community, and of far less likely to have serious sentence;
- b. Children rarely infect other people. Studies show in only 10% of households a child was responsible for spreading the virus, in 90% of cases it was spread by the adults;
- c. There is no data to say that closing schools in particular is extremely helpful on a population level to stop the transmission of the virus;
- d. last year of the 11,000 influenza deaths in the country, about 550, or 5% were school going children, for higher than the death rate we are currently seeing with COVID-19, yet last winter schools did not enforced more squaring, flu vaccines, symptoms screening, temperature taking or handwashing. Given the screening and safety measures now put in place by schools the relative risk to children currently is no greater than the same last year;
- e. the benefits for children of returning to school, including for their education, safety, nutrition and mental health, for outweighs the risk of infection.

21. The uncertainty of our future, the survival of our centres, the jobs of our staff and the plight of millions of our children in South Africa is seemingly ignored at present.

22. When we were given your instruction to close our ECD centres, we did so thinking that there will be a transparency and a future plan on what strategies would be imposed securing the survival of our sector and considering the best interest of our children, but to no avail. To date we have not had the courtesy of a response, nor any transparency in providing us with the rationale behind the administrative decisions taken.

23. We rejoiced in the possibility that if DBE schools can open their ECD's we could also follow suit.
24. We are unable to grasp the underlying basis for your refusal to also open our facilities on 6 July 2020 in the absence of any rationale provided.
25. We therefore kindly request that you provide us with the underlying reasons for such refusal especially in light of the medical evidence publicly rendered to the contrary.
26. South Africa has most of the work force back to work but we deprive them the opportunity of day care for their children. The development of our children are stifled, damage that cannot be undone, their social development undermined. Even the meals they got from us every day is taken away and many go to sleep hungry. Our ECD Centres who have been a pillar in the economy for ages is left to fall by the wayside.
- 27. We request that your Department allow us to open our facilities not later than 6 July.**
28. We have a system of checks and balances in our preschool communities and are able to audit most ECD preparedness through a Peer to Peer system. Most of our ECD's is Covid 19 ready to receive and serve our children in a safe way.
29. Your valued co-operation will be much appreciated.
30. I close with a quote from Ms Thuli Madonsela
"The constitution requires that no section of society should unjustly and unfairly be excluded from opportunities, resources, benefits and privileges."
31. We ask that you assist us in achieving that very goal and thank you in advance.

Anton van der Merwe
SA Childcare Association
PRETORIA
10 June 2020