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UNIVERSITY OF THE WITWATERSRAND

JOHANNESBURG



Wits School of Governance

Policy Networks in action: a comparative case study of two projects aimed at addressing childhood vulnerability

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1st October 2015

DECLARATION

I hereby declare that this thesis is my own work and to the best of my knowledge it contains no materials previously published or written by another person, except where acknowledged in the thesis. It is being submitted for the Degree of Doctor of Philosophy at the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination at any other University.

Signed.....

Date.....

Abstract

Two decades after South Africa's transition to democracy, with a positive constitutional and legislative framework in place, a vast number of South African households continue to be subjected to serious inequalities and extreme poverty. The dual phenomenon of poverty and inequality are complex problems of such a magnitude that silo approaches and singular agency fixes are inadequate. South Africa has the potential to address such issues at a multi-actor multi-institutional level, involving both civil society organisations and government working together.

This study investigates the manner in which various stakeholders come together to develop policy and implement strategies aimed at the alleviation of poverty, specifically focussing on childhood poverty and vulnerability. Using the policy network approach to illustrate the relationships that exist between actors, this study follows the policy process from formulation to implementation. The policy network approach is utilised as a lens through which the policy process is examined in two case studies — the succession planning and children's act projects. These case studies share a common objective which is to equip service providers with the knowledge and skills to assist their clients in accessing their legal rights.

Policy networks draw attention to the institutional arrangements needed for coordinating complex interactions between various actors involved in the policy process, with a specific interest on state-civil society relationships of policy cooperation. Hence, the main focus of the research is to ascertain the networking relationships that develop between government and civil society organisations and to explore the potential that policy networks offer in the future pursuit of social justice and children's rights.

Dedication

To my parents, who never tired of learning new things and living new experiences, thank you for exposing us to a life out of the ordinary.

Acknowledgements

Because of my involvement with the Street Law course at Wits University I was given numerous opportunities to work with a variety of communities throughout South Africa. As a result of this exposure the two projects that form the basis of this study provided Street Law (Wits) with the momentum to continue operating and gave the students, enrolled in the course, the opportunity to work in an environment where they encountered real world problems, revolving around childhood poverty and HIV/AIDs. I would like to express my gratitude for the opportunity I have had to work in projects of this nature and for the commitment of the many students involved in the course. I would also like to thank the previous Street Law assistant, Chris Chomse, for his calming influence particularly during some very trying times.

It took five years to design and manage the projects used in this study, yet as the projects drew to an end a decision was made to end the course in 2012. Thus, after more than 20 years, Street Law was no longer offered as a final year law course at Wits University. This decision was not the most popular but at least it gave me the time that I desperately needed to start seriously working on my thesis. Nonetheless, time has never my friend during this whole period and there were moments when I truly believed I had bitten off more than I could chew. If it were not for the support and programmes conducted by the Research Hub at Wits School of Governance and my supervisor Prof Susan Booysen, who stood by me through thick and thin, I would have surely given up long time ago. Thank you all.

I also need to say that I was lucky to have had the opportunity to escape for moments in between the madness of work and Johannesburg to Wits Rural Facility where I found silence and inspiration. I doubt if I'd have started any of my chapters if it were not for the time that I had between terms to escape and focus outside of the noise. So a big thank you to Wits Rural Facility and the amazing staff who have become my friends. In this same vein I'd like to say a special thank you to Christina Nkuna who I grew to know during the mid '90s when we regularly travelled out to WRF with Street Law students to conduct our workshops in the villages surrounding WRF. Christina passed away at the

end of 2013 and I miss her kindness, our long talks and her smile.

I would also like to thank Heidi Loening-Voysey of UNICEF who worked tirelessly on these and other projects in order to change and improve the lives of children in South Africa. Heidi has been a supportive and caring friend who made me believe in myself and in the projects. This same drive and compassion is shown in the work of Nicky Gunn Clark of HPCA who has also given me endless support and care throughout our time of working together.

I also need to thank all the participants in the training programmes and the DSD coordinators. All contributed toward the development of training materials and training programmes throughout South Africa. Their enthusiasm and willing and helpful contribution was and continues to be invaluable.

Last but not least I must say thank you to my sister Libby Colgan whose GIS knowledge and in-depth understanding of this work helped in turning my vision into a reality. She read and re-read, editing, guiding and teaching along the way, helping to keep me on track and comforting me when I felt that I would never finish, particularly when the workload threatened to overwhelm me! Thank you so much for your love and support Libs.

Acronyms

ACRWC	African Charter on the Rights and Welfare of Children
CBO	Community Based Organisation
CHH	Child Headed Households
CRC	Convention on the Rights of the Child (Previously referred to as UNCRC)
CSG	Child Support Grant
CSO	Civil Society Organisation
DOE	Department of Education
DOH	Department of Health
DSD	Department of Social Development
DWCD	Department of Women, Children and Persons with Disabilities
FBO	Faith Based Organisation
HIV/AIDS	Human Immuno-Deficiency Virus / Acquired Immuno-Deficiency Syndrome
HPCA	Hospice Palliative Care Association
KZN	KwaZulu-Natal
MDGS	Millennium Development Goals
NACCA	National Action Committee for Children Affected by Aids
NACCR	National Advisory Council on Children's Rights
NAP	National Action Plan for Orphans and Other Children Made Vulnerable by HIV and AIDS
NCRC	National Committee on the Rights of the Child
NGO	Non-Governmental Organisation
NPA	National Programme of Action for Children
NPASC	National Programme of Action Steering Committee
NPO	Not for Profit Organisation

NPOC	National Plan of Action for Children
NSP	National Strategic Plan
ORC	Office of the Rights of the Child
OVC	Orphans and Vulnerable Children
PEPFAR	U.S. President's Emergency Plan for Aids Relief
PMB	Pietermartizburg
RAAAP	Rapid Country Assessment Analysis and Action Planning Initiative
RAPPP	Rapid Appraisal of Priorities, Policies and Practices
SADC	Southern African Development Community
SAHRC	South African Human Rights Commission
SALRC	South African Law Reform Commission
UCT	University of Cape Town
UKZN	University of KwaZulu-Natal
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV and AIDS
UNGASS	United Nations General Assembly Special Session
UNICEF	United Nations Children's Fund
UNCRC	United Nations Convention on the Rights of the Child (better known as CRC see above)
USAID	United States Agency for International Development
WRF	Wits Rural Facility

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Chapter 1 : Introduction

1.1 Introduction

Two decades after South Africa's 1994 point of transition to democracy, with a positive constitutional and legislative framework in place, a vast number of South African households continue to be subjected to serious inequalities[1] often living in an environment of extreme poverty[2]. It is a concern that in spite of the dramatic post 1994[3] transformation followed by a multiplicity of policy interventions, the divide between rich and poor continues to impact on the lives of many, if not all, South Africans[4]. It could therefore be argued that one of the most important policy development issues confronting South Africa's government today is the formulation of a plan or strategy that will be able to address this dual phenomenon of poverty and inequality in a manner that is multi-layered, realistic, inclusive (of all stakeholders) and effective[5].

Because of South Africa's particular past where access to basic socio-economic rights such as water, social security, education and even rudimentary information were denied, any policy intervention strategy would have to effectively improve on the delivery of a wide variety of services. This improved service delivery would take on a more developmental role thus moving beyond the typical call for basic services[6]. If this reality is not addressed, in an appropriate and effective manner, then certain vulnerable communities will find themselves gradually excluded from enjoying their constitutional and legal rights because of a lack of capacity to access existing resources[7]. In this situation participation in the development and implementation of policy aimed at addressing specific needs — local, provincial or national — will be limited to those individuals who have the means to participate and be heard. This means, as pointed

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[1] Statistics South Africa. 2014. *Poverty Trends in South Africa: An examination of absolute poverty between 2006-2011,* page 13; Southern African Regional Poverty Network. 2003. `Poverty and Inequality in South Africa in South Africa 2004-2014: Current Trends Issues and Future Policy Options.' www.sarpn.org.za/documents

[2] According to Statistics South Africa there has been a drop in upper-bound poverty levels between 2006-2011. (Statistics South Africa see note 1 at 12); Also: Adato, M., Carter, M. & May, J. 2004. `Sense in sociability? Social Exclusion & Persistent Poverty in South Africa'. http://www.sarpn.org.za/documents/d0001127/index.php.

[3] This has been changing since 2008. According to a report, on the International Financial Affairs website, growth was consistent (between 4-5%) since 2004 and 2007. Since 2008 growth has dropped to 3.1% and is predicted to go to 1.2% in 2009. http://international-financial-affairs.suite101.com/article.cfm/is_south_africa_heading_for_a_recession

[4] 'High levels of inequality, amongst the highest in the world', in Statistics South Africa at page 13; Southern African Regional Poverty Network. 2003. `Poverty and Inequality in South Africa in South Africa 2004-2014: Current Trends Issues and Future Policy Options'. www.sarpn.org.za/documents

[5] Taking into consideration the South African context, both past and present, where the need for effective delivery of socio-economic rights for all is fundamental to any programme of development or transformation.

[6] McLennan, A. 2009. 'The Delivery Paradox'. In: A. McLennan & B. Munslow (eds). *The Politics of Service Delivery,* page 21.

[7] Including the knowledge and understanding of what rights exist and where to go to access these rights.

out by Friedman, that 'because the poor… are not heard, their experiences and concerns cannot translate into effective policy'[8]. Additionally, if certain communities continue to be excluded, the distance between the haves and have-nots will grow, having a knock-on effect for future generations, thus perpetuating an ongoing cycle of deprivation and poverty where children will inherit the poverty of their caregivers.

Nonetheless, over the years and independent of each other, the South African government and civil society have adopted many counter poverty approaches[9] — in developing and implementing policies — and, government has shown some success[10] in addressing structural poverty issues[11]. There has, however, also been much criticism from the non-governmental sector, media and individuals themselves for the lack of service delivery and the inadequate or slow response to addressing social justice issues[12].

Any poverty alleviation programme[13] in South Africa needs to be of such magnitude that it cannot, and should not, be sustained by government alone; a proviso cited by many academics and commentators, including former President Nelson Mandela[14]. It is argued that an intervention at this level calls for the resources of a variety of stakeholders[15], all sharing in a common goal. The task is to enable new patterns of interaction to place within an environment where responsibility and accountability are held on a relatively equal footing. Policy networks, comprised of both government and civil society, could address the challenges inherent in the development and implementation of policies aimed at complex issues of this nature. Yet, at this point, there is little indication that a cooperative and coordinated programme has been successfully adopted and sustained over a period of time. Certainly the potential exists to develop a comprehensive poverty alleviation strategy involving all stakeholders, including government, who understandably needs to retain its primary agency[16].

---

[8] Friedman, S. 2005b. `A Voice for Some: South Africa's Ten Years of Democracy'. In: J. Piombo & L. Nijzink (eds.) *Electoral Politics in South Africa: Assessing the First Democratic Decade,* page 4.

[9] Habib, A., Maharaj, B. & Nyar, A. 2008. 'Giving, development and poverty alleviation'. In: A. Habib & B. Maharaj. *Giving & Solidarity: Resource Flows for Poverty Alleviation and Development in South Africa,* page 17-44.

[10] According to a study undertaken by the Mbeki Presidency, it was argued that there had been significant advances taken in the struggle against poverty. (PCAS 2003a).

[11] Swilling, M., Van Breda, J. & Van Zyl, A. 2008. 'Contextualising social giving: An analysis of state fiscal expenditure and poverty in South Africa, 1994-2004.' In: A. Habib & B. Maharaj (eds). *Giving & Solidarity: Resource flows for Poverty Alleviation and Development in South Africa*, page 281.

[12] Habib *et al.*see note 9.

[13] Or poverty eradication programme as these terms are often used interchangeably.

[14] Nelson Mandela at http://www.mandelachildren.com accessed July 2009. Habib see note 9.

[15] Habib *et al.*see note 9 at 20.

[16] Habib *et al*.

Arising out of a study of this nature are a number of key questions which ask, 'in what manner and to what degree can other groups, such as those from civil society, offer an effective and sustainable programme of assistance?', 'how would these various stakeholders work together to realise the substantive policy objectives anchored in the constitutional principles and situated in the field of childhood poverty?' and 'what key features or factors would need exist to develop collaborative and integrated relationships between these various stakeholder groups?'

Using the notion of policy networks to illustrate interrelationships between state and non-state actors this study investigates the manner in which various stakeholders come together, in the context of policy making and implementation, to develop and implement strategies for programmes aimed at the alleviation of poverty, specifically focussing on childhood poverty and vulnerable children. To assess and compare policy developed, implementation strategies identified and adopted and to determine the theoretical foundation against which the delivery of the legal and policy obligations can best be evaluated, two specific South African project case studies have been identified for this research. These two projects — the succession planning and the children's act projects — share a core objective, which is to equip service providers with the knowledge, capacity and skills to assist their clients in accessing their legal rights.

The policy network concept offers a useful theoretical framework for this study as it can be applied to institutional arrangements for the management of public policy, particularly with respect to the state-civil society relationships of policy cooperation. Hence the primary focus of this doctoral study is to ascertain the value of pursuing social justice goals through a policy network structure of government, civil society and community representatives, particularly when confronted by complex social problems such as childhood poverty and HIV/AIDS[17]. This theory's relevance to the research lies in its ability to explicate the interconnected, non-hierarchical nature of relationships that can exist between state and civil society when working towards a common goal[18]. As Börzel observes: `These actors share common interests with regard to policy and exchange resources to pursue these shared interests acknowledging that cooperation is the best way to achieve common goals'[19].

At the applied level, policies and their derived strategies followed by state and civil

[17] Particulary where children have been infected or affected by HIV / AIDS.

[18] Booysen, S. 2009. *Policy Networks and Policy Making in Contemporary Political Systems,* lecture session 3, PADM 5131-3.

[19] Börzel, T. 1998. `Organizing Babylon – On the Different Conceptions of Policy Networks'. *Public Administration.* 76 (2), page 254.

society stakeholders were analysed in order to critically investigate the common project objective, namely to protect and improve the lives of vulnerable children living in poverty through improving the capacity of individuals, within communities, to access their social and legal rights. The analysis followed several steps. Firstly, it investigated the development of policy that both identified the strategies to be adopted and that determined the nature of the cooperation between different stakeholders, using the policy network approach as a theoretical tool[20]. Thus, procedural policy made and implemented, was examined through the lens of the network approach. Secondly, an analysis was made of the substantive policy realised through the adoption of networking arrangements which resulted in increased service provider capacity within the identified target areas. Informed by this secondary analysis a further inquiry was made regarding the potential for improvement in practice, policy or law, constantly bearing in mind that the ultimate goal was the improved access to social justice for all.

1.2 Rationale to the study

The decision to undertake this research came in response to many influences, predominant of which being the growth in the number of initiatives, advanced by various advocates for children's rights, national and international[21], to make good on the obligations in terms of the Constitution of South Africa and international documents, such as the United Nations Convention on the Rights of Children (UNCRC) and the African Charter on the Rights and Welfare of the Child (the African Charter)[22]. For some time, post-1994[23], a large community of people have been engaged in changing and developing both the legal and policy framework and making sure the constitutional rights of children were promoted, protected and respected and South Africa's international obligations fulfilled. Children living in conditions of deprivation and poverty became the priority for both government and civil society initiatives, resulting in a concerted effort being made, through a number of strategic programmes, to address the plight of these children in South Africa.

The South African government has a clear obligation, in terms of law and policy, to ensure that a range of social services are made available for children. Yet, to do this,

[20] In chapter two the policy network approach is examined from both a theoretical and practical perspective.

[21] National Action Committee for Children Affected by HIV / AIDS (NACCA) initiative.

[22] United Nations Convention on the Rights of the Child (CRC) signed by South Africa 29 January 1993, ratified 16 June 1995; ACRWC, came into force 29 November 1999, signed by South Africa 10 October 1997, ratified on 7 January 2000.

[23] Particularly post 1996 where the rights contained in the Constitution provide unique protections for children.

government needs to look to developing partnerships between itself and civil society. By not sufficiently delivering on these services, through the effective use of all the available resources and agencies[24], the promises made by government to protect, care and improve the lives of South African children, remain paper promises[25]. In terms of South Africa's legislative commitments, children have a right to their dignity and wellbeing, and to achieve this there is a need to focus on securing greater social justice for all South Africans — adult and child alike. Meth argues, 'the struggle for children's rights is inextricably bound up with the broader struggle for rights for all and in particular the fight against poverty and unemployment'[26]. Therefore at this point in time in South Africa, it is important to recognise that individuals who are at their most vulnerable, such as the elderly, the disabled, women and children, need outside assistance or guidance[27] in accessing their socio-economic rights be it through grants[28] and/or other developmental means.

The researcher's own involvement as a consultant in two multi-actor initiatives that came out of a consultative child advocacy process sparked her interest in examining the development and implementation of strategies aimed at addressing childhood poverty and vulnerability. The two specific projects of interest to the researcher were viz. 1) the succession planning project; and 2) the children's act project. These two projects were selected because she had acted as a consultant-facilitator in the pilot of both. Through this involvement she had direct exposure to and gained an in-depth understanding of the processes — their shared similarities and differences — that were adopted during the initial development and implementation of the pilot projects. As both projects shared certain objectives and had evolved over a period of time they were therefore an obvious and attractive choice for a comparative case study approach. In addition, both projects were initiated by South Africa's national-level Department of Social Development (DSD), in close collaboration with the United Nations Children's Fund (UNICEF) and in partnership with a number of civil society organisations, many of which were part of or affiliated to the National Action Committee for Children Infected and Affected by HIV/AIDS (NACCA). The insights gained of the procedural policy

[24] Local and international.

[25] Murray, C. 2001. 'Negotiating Beyond Deadlock: From the Constitutional Assembly to the Court.' In: P. Andrews & S. Ellman (eds.) *The Post-Apartheid Constitutions: Perspectives on South Africa's Basic Law,* page 122.

[26] Meth, C. 2006. 'Implications of the Impossibility of Defining Child Vulnerability in a Theoretically Rigorous Way'. In: P. Graham. *Inheriting Poverty? An Economic Research Agenda for Realising the Rights of Children,* page 69.

[27] This guidance could be aimed at empowering individuals and acknowledging their need to take responsibility for their own lives.

[28] Needs based and paid directly from public funds.

process resulted in a realisation that such projects lent themselves to an illuminating study on the value of cooperative networking arrangements in the delivery of policy objectives aimed at vulnerable children and their families.

Policy development is influenced by multi-dimensional, multi-layered nuances which are affected by the context within which the policies are to be implemented. In this research, the contextual environment is one of poverty and extreme inequality[29] which has been further exacerbated by the presence of the HIV/AIDS epidemic. The researcher acknowledges that when working in the area of childhood poverty and vulnerability one needs to consider all the complexities that affect and influence policy development. In addition, one cannot ignore that the divide between 'the two economies'[30] of rich and poor is increasing, which is a reminder of the fact that children lack the resources to deal with their own problems and are forced to rely on adults to represent them[31]. Based on these observations the research focuses on examining how policy networks of government and civil society address problems of social justice with a specific focus on children and children's rights. The research questions which are asked and discussed in Section 1.6.3, examine how such networks work together, how effectively they work, their impact and how this is measured.

1.3 Background: The problem in context

This section provides a brief description of the backdrop within which the two case study projects were conceived.

1.3.1 General introduction

As the research on policy networks relates specifically to Orphans and Vulnerable Children (OVC) and their problems, a context for the situation in South Africa is provided in this chapter. This is followed by a discussion on the policy network theory in Chapter Two and analysis of the two case studies in the remainder of the thesis. Given the extremity of the problems facing OVC it is important to understand the environmental context and the issues related to social justice for children in South Africa. This discussion sets the background for why it is vital to create policy

[29] Bearing in mind the warning that it is inequality that threatens our democratic project. Everatt, D. 2005. 'The Politics of Poverty'. *Bangladesh e-Journal of Sociology. 2 (1).*

[30] Bond, P. 2007. 'Introduction: Two economies – or one system of superexploitation'. In: P.Bond (ed). 'Transcending Two Economies – renewed debates in the South African political economy', *Africanus Journal of Development Studies,* Vol. 37 (2).

[31] Either through the various measures and services in place, or about to be implemented, or through institutions such as the Children's Court, in terms of the Children's Act 2005 (as amended).

intervention programmes and implementation strategies using a variety of resources.

To provide the context within which the two case study projects were conceived, the multidimensional nature of poverty is first highlighted and then the impact that poverty and HIV/AIDS has had on the lives of children is discussed. In a review of poverty and inequality in South Africa, undertaken in 2012, more children than adults were living in poor households[32]. Children are also subjected to more severe deprivation than adults and, because they are dependent on adults to represent their interests, children are viewed as doubly vulnerable[33].

1.3.2 Apartheid legacy

Apartheid left many sectors of South African society with a legacy of social and economic deprivation that resulted in extensive and continuous inequalities[34]. In order to redress this legal and structural disadvantage, the constitutional negotiators of the early 1990s negotiated the inclusion of socio-economic rights into Chapter Two of the Constitution and placed a positive[35] duty on government to protect and fulfil these rights[36]. Yet, we see that despite this favourable setting the divide between rich and poor[37] has grown, thus failing vulnerable communities who are most in need[38].

While both government and civil society accept that poverty reduction and the protection of the most vulnerable in society are paramount concerns, consensus is lacking when it comes to providing a clear definition of poverty or determining the meaning of a 'poverty line'[39]. Poverty is not simply about a skewed distribution of wealth or income, therefore in order to develop or implement poverty alleviation strategies both government and civil society need to determine what it is they are intending to address

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[32] Hall, K., Woolard, I., Lake, L. & Smith, C. 2012. *South Africa Child Gauge.* Children's Institute.

[33] Meth see note 26 at 55; See Ewing, D. 2006. 'Children's Experiences of the Link between Poverty and Unemployment in the Context of HIV/AIDS.' In: P. Graham (ed.) *Inheriting Poverty? An Economic Research Agenda for Realising the Rights of Children,* page 89.

[34] The author is conscious of the existence of many levels of inequality within South African society yet for the purposes of this study the focus will be on poverty and access to justice for poor and vulnerable communities.

[35] The inclusion of socio-economic rights in the Constitution places substantive obligations on the state. Additionally, all rights, including socio-economic rights, are subject to judicial review and enforcement. Section 38 of the Constitution states that, `Anyone listed in this section has the right to approach a competent court, alleging that a right in the Bill of Rights has been infringed… and the court may grant appropriate relief…'

[36] Liebenberg, S. 2001. `Violations of Socio-Economic Rights: The Role of the South African Human Rights Commission.' In: P. Andrews & S. Ellman (eds.) *Post-Apartheid Constitutions: Perspectives on South Africa's Basic Law,* page 405.

[37] Where there are many households with limited access to the most basic of resources such as education, health, water and a means of income.

[38] Habib *et al.* see note 9 at 18.

[39] The term vulnerable, used interchangeably with poverty and deprivation, does not lend itself to rigorous interpretation because there is an inherent difficulty. Vulnerability can be viewed as a matter of degree and is therefore variable. Meth in Graham, P. 2006. *Inheriting Poverty? An Economic Research Agenda for Realising the Rights of Children*, page 53.

and how they ultimately plan to measure the resulting outcomes. As the researchers Laderchi, Saith and Stewart say, `to devise policies to reduce poverty effectively, it is important to know at what we are aiming'[40].

1.3.3 Poverty: A world-wide issue

Over the years, the global community has alternatively ignored or focused on developmental concerns[41] and has, only since the late 1990s and early 2000's developed a clear framework against which developmental issues[42] can be addressed. Now is the era of a renewed acceptance that 'poverty is the benchmark against which we must be judged'[43] and 'poverty reduction' or 'poverty eradication' can take place in less than one generation because the knowledge and techniques already exist[44].

Prior to the 1990s developmental concerns such as hunger, childhood survival and well-being were not a key priority on the agenda of the international community. Up until this time international development was about the promotion of economic growth through industrialisation and modernisation[45]. Whilst certain academics, politicians, international agencies and activists were arguing in favour of a multi-dimensional and more person-centred approach to addressing poverty in the world, the development agenda was still advocating for state prosperity in order to strengthen the fight against poverty[46]. Nonetheless, a gradual shift toward a more people-centred approach[47] was taking place and, by the mid-1990s, poverty and poverty eradication was viewed in a more systematic and goal-oriented manner.

This positive step toward addressing global poverty took place at the first major and dedicated United Nations[48] Summit held in Copenhagen where the focus was specifically on social development. Both the Copenhagen Declaration and a Global Programme of Action were adopted at the World Summit, with several of the declared

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[40] Laderchi, C., Saith, R. & Stewart, F. 2003. `Does it matter that we do not Agree on a Definition of Poverty? A Comparison of Four Approaches.' *Oxford Development Studies*. Vol 31 (3), page 243.

[41] During the 1950's and '60's the international community alternatively ignored or focused on developmental concerns (Laderchi, Saith & Stewart see note 40 at 269, footnote 1).

[42] In fact despite their concern over issues such as hunger, education and child survival it was not until quite recently that priority was given to the development agenda.

[43] UNICEF. 2000. Poverty Reduction Begins with Children, page 1.

[44] National Planning Commission. 2011. *National Development Plan 2030: Our Future–make it work*, page 1-2.

[45] Hulme, D. & Fukudu-Parr, S. 2009. 'International Norm Dynamics and' the end of poverty': Understanding the Millennium Development Goals (MDGs)'. Brooks World Poverty Institute, University of Manchester, page 3 and 5.

[46] Hulme & Fuduku-Parr.

[47] Sen, A. 1983. 'Poor, Relatively Speaking.' *Oxford Economic Papers,* New Series 35 (2), see his capabilities approach.

[48] The World Summit for Social Development, 1995, Copenhagen. 117 governments or heads of state attended this Summit.

goals being drawn extensively from recommendations made at previous United Nations conferences[49]. One of the fundamental goals coming out of the summit was the expressed plan to halve the proportion of people living in absolute poverty by 2015. The goals or 'commandments' from the World Summit on Social Development and other conferences then formed the foundation for the later Millennium Development Goals (MDGs)[50]. The MDGs mark the culminating point in the debate around global poverty. While previous recommendations were often viewed as a vague, incompatible and contested arena of promises and plans[51], the MDGs soon brought 'specificity and concreteness to the idea of ending global poverty'[52]. With it came the ultimate commitment and buy-in from the global community.

At the United Nations Millennium Summit both developed countries and developing countries recommitted themselves to work together towards achieving eight key economic and social development priorities by 2015[53]. The MDGs and targets set down in the Millennium Declaration were signed by 189 countries, including 147 Heads of State and Government, in September 2000[54] and the overarching impact of the MDGS was one of consensus where 'the emergence of MDGs has put global poverty eradication/reduction on the international agenda at the level of heads of state'[55].

For many states the first step to poverty eradication or reduction would be finding agreement on a definition and assessment of poverty in their country. This was the challenge made in the Copenhagen Programme of Action where, in addition to encouraging governments to 'elaborate at a national level, the measurements, criteria and indicators for determining the extent and distribution of absolute poverty', governments were also urged to; '(d)evelop a precise definition and assessment of absolute poverty, preferably by 1996, the International Year for the Eradication of Poverty'[56]. Obviously, when addressing or developing an implementation plan it is important to consider what needs to be addressed and how the outcome will be

[49] The United Nations Conference on Environment and Development, the International Conference on Population and Development. The Declaration and Programme of Action also benefited from the preparatory work for the Fourth World Conference on Women and the Second United Nations Conference on Human Settlements (Habitat II).

[50] Hulme see note 45.

[51] Hulme.

[52] Hulme.

[53] The eight priorities in numerical order aim to: 1. eradicate extreme poverty and hunger; 2. achieve universal primary education; 3. promote gender equality and empower women; 4. reduce child mortality; 5. improve maternal health; 6. combat HIV/AIDS, malaria and other diseases; 7. ensure environmental sustainability; 8. develop a global partnership for development.

[54] Also from further agreement by member states at the 2005 World Summit (Resolution adopted by the General Assembly).

[55] Hulme see note 45 at 32.

[56] Copenhagen, Programme of Action, paragraph 26.

measured. As Meth states, '(w)ithout a clear specification of the problem confusion must reign'[57].

1.3.4 The importance of defining poverty

Much of the literature on poverty highlights that 'it is not possible to refer to any single scientific understanding of poverty'[58], as the poverty debate is complex, nuanced and messy[59]. It is therefore useful, in the context of poverty and inequality in South Africa, to mention issues that are often raised in the literature on poverty. As a result, the next section opens with a brief overview of the concept of poverty, highlighting key points in the search for a definition, without which an appropriate means of measurement cannot be established, finally concluding with a statement on the position of vulnerable communities, families and children. Thus, establishing the setting against which the policies developed and programmes implemented were founded.

Poverty has a devastating impact on people and communities in any country. Thus finding an effective means to address the problem is fundamental, not only to fulfil a country's international obligations, but to also ensure that the rights of individuals are not limited to a privileged few. In South Africa the advent of the HIV/AIDS epidemic exacerbated an already complex situation of deprivation and denial, bringing a certain degree of immediacy to the call for the provision of greater social justice for all[60]. This sets the context within which the dissertation is placed. The study moves on to investigate how these challenges have been and are being addressed through the development of appropriate, integrated and realistic policies and policy programmes with defined strategies, aimed at creating viable stakeholder networks. It is these fundamental issues of deprivation and denial created by poverty that inform an integral and important part to this study on delivery, access to rights and social justice.

1.4 Defining poverty: Confronting the complexity of poverty

Despite the acceptance, at a global level, of the need to effectively reduce or eradicate poverty, the literature indicates little agreement on precisely what is meant by the term

[57] Meth see note 26 at 385.

[58] Alcock, P. 1993. *Understanding Poverty*.

[59] Alcock.

[60] UNICEF. 2005. Policy document, Rapid Country Assessment; President's Emergency Plan for AIDS Relief (PEPFAR). 2012.

poverty[61]. This uncertainty is further exacerbated by the paucity of literature on the topic[62] and the frequent lack of clarification when distinguishing between concept, definition and measurement of poverty, with the different terms often being conflated[63]. Nevertheless, the literature offers the insight that poverty is seen as the fundamental denial of a person's human rights and human dignity[64].

Traditionally, poverty was associated with a paucity of money, resources or lack of income[65]. At the beginning of the 20th century, Rowntree argued that poverty was, `more than a lack of income as it goes to a deeper level of social exclusion from all aspects of the human system'[66]. In this early literature, Rowntree defined `primary poverty' as being a situation where families' 'total earnings are insufficient to obtain the minimum necessities for the maintenance of merely physical efficiency'[67]. This exposition has been referred to as an absolute or subsistence definition of poverty and was viewed as objective in its approach[68]. Townsend and Abel-Smith[69] saw poverty beyond this absolute application, speaking of it as being a relative concept, as something that 'can vary over time and change depending on the prevailing norms of a society'[70]. The criticism of the relative approach, of particular relevance to the South African context, is that '(t)here is, I [Sen] would argue, an irreducible absolutist core in the idea of poverty. One element of the absolutist core is obvious enough … If there is starvation and hunger, then — no matter what the picture looks like — there clearly is poverty'[71]. Sen is of the belief that an adequate concept of poverty should contain an absolute component, hence his development of the 'capabilities approach'.

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[61] Laderchi, Saith & Stewart see note 40 at 244.

[62] Laderchi, Saith & Stewart see note 40 at 4. Everatt points out that there is a tendency to overuse terms when referring to the condition or the context of poverty with statements such as, 'the poorest of the poor'. This overuse of terminology often leads to too much familiarity thus distracting from the reality of the situation confronting vulnerable individuals. He points out that it is not so much about the lack of a definition but that 'there are too many meanings', Everatt, D. 2005. *The Politics of Poverty, Bangladesh e-Journal of Sociology.* 2 (1), page 22-23 & 25.

[63] Nobel, M., Ratcliffe, A. & Wright, G. 2004. *Conceptualizing, Defining and Measuring Poverty in South Africa: An Argument for a Consensual Approach.*

[64] Office of the United Nations High Commissioner for Human Rights (OHCHR). 2006. Principles and Guidelines for Human Rights Approach to Poverty Reduction Strategies, page iii.

[65] According to Noble see note 63 at 5, 'measurement of poverty by reference to a countries income or expenditure distribution has, in our view, only a weak conceptual underpinning'.

[66] Rowntree, B. 1902. *Poverty a Study of Town Life*, page 86.

[67] Rowntree see note 66.

[68] Alcock see note 58 at 70. Alcock argues that there is a degree of relativity in this approach and mentions Rowntree's inclusion of tea being a necessity to British society. Alcock points out by including tea it shows that Rowntree departs from a completely subsistence definition `thus making adjustments to include prevailing tastes and therefore being relative to that particular context'.

[69] Abel-Smith, B. & Townsend, P. 1965. *The poor and the poorest: A new analysis for the Ministry of Labour's family expenditure surveys of 1953-54 and 1960*.

[70] Abel-Smith & Townsend see note 69.

[71] Sen see note 47 at 159.

In the 'capabilities approach' poverty is viewed as absolute in the space of capabilities, but relative in the space of 'commodities, resources and income'[72]. If people are unable to participate in mainstream society, then they are denied a most basic right of access to social justice and to their dignity. Those who lack capabilities are, as a result, excluded and those who are excluded are denied access to the `material, cultural and emotional resources' that would enable them to acquire capabilities[73]. This lack of access or inability to participate introduces a new and valuable concept into the debate on poverty, namely that of social exclusion — which remains an underlying factor touched on throughout this study but does not form a specific focus of the discussion.

One further approach that needs a brief mention here, because it has dominated the poverty debate since the 1990s, is the rights-based approach. This is an approach that has been adopted by many international agencies involved in development and poverty alleviation and UNICEF is one such agency. Basically speaking, the rights-based approach exists within the formal rights discourse using the human rights that exist nationally and internationally to enforce and protect the rights of individuals and, in the case of UNICEF, children. The rights-based approach to poverty sees poverty as 'not merely a state of low income but a human condition characterised by the sustained deprivation of the capabilities, choices and power necessary for the enjoyment of fundamental rights'[74]. It therefore follows that for each of these different approaches mentioned above there will be different indicators and this ultimately influences the choice of policies that will be adopted[75].

Obviously, within the available and diverse body of literature, poverty is a complex and contested notion that can be interpreted from either a narrow or broad perspective[76]. In its narrowest sense it can mean a lack of income and in its broadest sense poverty is seen as multi-dimensional, encompassing issues such as housing, health, education and accessing services and other resources including greater access to social capital and to social power relations[77]. There are many who would argue that changing the definition of poverty to include a broader perspective does not alter the fact that people

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[72] Sen see note 47 at 157.

[73] Hall, K., Mutukrishna, N. & Ebrahim, H. 2005. 'Childhood Poverty and Social Exclusion in England and South Africa.' *Journal of Education* No 35, page 53.

[74] Symington, A. 2002. *A Rights-Based Approach To Development,* Women's Rights and Economic Change, No 1, August, page 4.

[75] 'Each(approach) has its own following among governments and donors, project managers and NGOs–although few stop to make sure they are talking about the same thing'. Everatt see note 62.

[76] Studies in Poverty Inequality Institute. 2007. *The Measurement of Poverty in South Africa: Key Issues,* page 10.

[77] Studies in Poverty Inequality Institute see note 76.

are poor, but as Everatt points out, 'different definitions produce different results'[78].

The message coming out of the literature is that in defining poverty it is vital that the `concept and definition of poverty, as well as being theoretically robust, is appropriate to the society in which it is to be applied'[79]. Once there is agreement on a definition then the chosen method for measurement must 'appropriately operationalise the definition'[80]. If this does not happen policy programmes and strategies may result in inaccuracies and confusion. This takes us on to the next part of the discussion, how has South Africa fared in regard to defining poverty, what steps have been taken to alleviate the situation and how is this measured?

1.5 Poverty in South Africa

The approach adopted in the two case studies is founded on the belief that childhood poverty and children's rights are inextricably bound in the wider picture of poverty, inequality and the rights of all South Africans. From this perspective, a brief context of poverty in South Africa is provided examining developments that have taken place in order to address South Africa's obligations at an international and national level.

1.5.1 Background

As with the rest of the international community, South Africa has made a commitment to tackle poverty and unemployment by 2015[81]. Sitting at the heart of South Africa's redress programme is a definite intention to address the dual issues of poverty and inequality[82] for adults and children alike. Nonetheless, until such a time that the MDG targets can be achieved, both adult and child will see at least some of their rights going unmet[83]. Over the years government has introduced numerous poverty relief programmes aimed at overcoming issues such as health, education, housing, basic services and access to social relief. Poverty reduction remains a priority on South Africa's developmental agenda and as a result of its commitment the government continues to increase the resource allocations to poverty reduction programmes,

[78] Everatt, D. 2009. `Dispatches from the war on poverty'. In: A. Mclennan and B. Munslow. *The Politics of Service Delivery,* page 171.

[79] Nobel see note 63 at 3.

[80] Nobel see note 63.

[81] According to a recent report submitted to the SAHRC by Black Sash–It appears that South Africa will not be able to achieve these goals by 2015.

[82] The author is aware that these are two separate but interrelated issues and is not conflating the two.

[83] Meth see note 26 at 68.

thereby refuting the ongoing criticism that government has failed to allocate enough resources into their poverty reduction measures[84]. Yet, at this time in South Africa, despite the strong involvement by the state, poverty and inequality remain one of the most persistent developmental problems confronting the current government[85].

Many explanations (or criticisms) have been proffered as to why the problems with poverty and inequality persist, ranging from the impact of the global financial crisis[86] on the South African economy, and the lack of good governance within certain government institutions[87] to the uncertainty or confusion in finding a clear definition of poverty[88], which ultimately impacts on the selected means of assessment of poverty in South Africa[89]. Many of South Africa's mainstream poverty alleviation programmes, aimed at addressing deprivations such as health, housing and basic services, have been said to be generally good[90], 'well conceived and potentially well targeted'[91]. Yet problems of poverty and inequality persist.

Even within the complexity of the poverty debate there have been some noticeable shifts and improvements in South Africa's structural poverty issues, specifically with respect to access to a social wage[92]. Recent research shows that much of the improvements in people's well-being and livelihoods can be attributed to an improved social grant system[93]. Of particular relevance to this study is the positive impact that the increased child support grant has had on childhood poverty in South Africa[94]. A basic understanding of the social assistance programme offered by the state bears some relevance to this doctoral study, for two reasons: 1) during the training workshops[95], in

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[84] Pieterse, E. & Meintjies, F. 2004. *Voices of the Transition*, page 44.

[85] Habib see note 9 at 17-19.

[86] This is a more recent impact where jobs have been lost. Steytler, N. & Powell, D. 2010. *The Impact of the Global Financial Crisis on Decentralised Government in South Africa,* Paper presented at annual conference of International Association of Centres for Federal Studies, September 2010.

[87] Luyt, D. 2008. *Governance, Accountability and Poverty Alleviation in South Africa,* Paper delivered at UN Social Forum, page 3-4.

[88] Or in finding a determinable poverty line.

[89] Meth, C. 2006. 'Half Measures Revisited: The ANCs Unemployment and Poverty Goals'. In: H. Bhorat & R. Kanbur. *Poverty and Policy in Post-Apartheid South Africa* page 383. The issue it is not so much about a lack of statistics or data but about the vast array of data that is out there resulting in a paradoxical situation where, despite the vast array of statistical reports and analysis, accurate measurement is lacking (Everatt see note 78 also speaks of this).

[90] Luyt see note 87 at 1

[91] Taylor, V. The Committee of Inquiry into a Comprehensive Social Security System for South Africa. 2002. *Transforming the Present –Protecting the Future: Consolidated Report,* page 55.

[92] Leibbrandt, M., Wegner, E. & Finn, A. 2011. *The Policies for Reducing Income Inequality and Poverty in South Africa,* A Southern African Labour and Development Research Unit Working Paper No 64, page 7-8.

[93] Seloane, M. 2008. 'Resource flows in poor communities: a reflection on four case studies'. In: A. Habib & B. Maharaj. *Giving & Solidarity: resource flows for poverty alleviation and development in South Africa,* page 121-158.

[94] UNICEF & Financial & Fiscal Commission in South Africa. 2010. The Impact of the International Financial Crisis on Child Poverty in South Africa, in forward.

[95] The succession planning project and the children's act project.

both case studies, the information provided aimed to improve the participants' capacity to advise and assist their communities or clients in accessing available resources such as the social grant system, and 2) much of the government's poverty alleviation programme is about social assistance[96] as it is the 'key pillar of the government's current strategy to fight poverty.[97] Yet, there are serious concerns about the sustainability of such a programme[98].

During the period 2008 to 2012 government responded to the criticisms and challenges outlined above. In October 2008 government released a discussion document entitled `Towards an Anti-Poverty Strategy for South Africa'[99]. Later, in 2011, the National Development Plan[100] was introduced as a general guideline or plan for the South African government to follow into the future, whilst recognising the external influence of a changed global environment. In both documents poverty is seen as a 'state of multiple deprivations'[101] impacted negatively by the 'socioeconomic distortion introduced by apartheid'[102] and calling for strategies that 'rebuild the opportunity structures and help individuals develop the capabilities to live the life they wish to lead'[103]. It is acknowledged that any strategy aimed at addressing poverty alleviation cannot be the sole responsibility of government alone[104]. Ultimately these developments highlight a positive shift on the part of government in building a deeper understanding of poverty and addressing the complexities inherent in both defining and finding viable solutions.

Therefore in spite of South Africa's poverty alleviation strategies, the reality is that, within certain communities, the multi-level impact of past policies on community development continues to cause a range of deprivations — from lack of water and electricity to a lack of education, knowledge, skills and social services. These deprivations will impact negatively on the potential of future South African generations. This means that, in addition to government's obligation to eradicate poverty and meet the agreed MDG goals by 2015, a further obligation, of relevance to this thesis, is to

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[96] Liebenberg see note 36.

[97] In: Khosa v Minister of Social Development (CCT 12/03, unreported) and Mahlaude v Minister of Social Development (CCT 13/03, unreported).

[98] Luyt see note 87 at 3.

[99] Draft Discussion Document. 2008. *Towards an Anti-poverty Strategy for South Africa,* page 13. http://www.info.gov.za/view/download/ accessed January 2010.

[100] National Planning Commission see note 44.

[101] Draft Discussion Document see note 99.

[102] National Planning Commission see note 44 at 354.

[103] National Planning Commission at page 354.

[104] Draft Discussion Document note 99 at 5. Calling for national and international networks of support.

ensure the most vulnerable communities are protected and to promote, protect and enforce children's rights in terms of both national and international law[105].

1.5.2 Childhood poverty and vulnerability: Causes and effects

Children are said to be doubly vulnerable because they rely on adults to represent their interests. If a caregiver or parent is living in poverty the child will be confronted with a number of deprivations and the cycle of poverty will persist[106]. In South Africa, although attempts to quantify childhood poverty along monetary lines are few, the existing figures remain high with 60-70% of South African children estimated to be income poor — varying across provinces. In addition, households in South Africa are confronted by an abnormally high rate of unemployment which suggests that large numbers of children live in homes with unemployed adults[107].

It is an unfortunate fact that children who grow up in poverty struggle to access their most fundamental rights to 'basic nutrition, shelter, basic health care services, and social services'[108] and their right to a standard of living that is adequate for their development as provided by the United Nations (UN) Convention on the Rights of the Child (CRC)[109]. Yet this struggle for survival is not an isolated struggle because the reality is that the majority of children who experience poverty, experience it not as individuals but as members of poor families or households[110]. Therefore children in poor households will be directly affected by their parents' or caregiver's emotional and material deprivation. Ewing states that, 'the inability of a household to sustain itself impacts directly on the survival and development of the child'[111]. She goes on to point out the reality that children in South Africa are 'inheriting poverty'.

Leatt, Rosa and Hall[112] name three main causes of childhood poverty in South Africa. According to them, the first cause is historical, where colonial and apartheid policies led to systemic disenfranchisement and underdevelopment of the black majority

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[105] http://childrensrightcentre.webhouse.co.za/pages/20730

[106] Ewing see note 33 at 89.

[107] SAHRC & UNICEF. 2014. *Poverty Traps & Social Exclusion Amongst Children in South Africa,* page 45 and 55.

[108] Section 28(1) of the Constitution of South Africa 108 of 1996.

[109] Ratified by South Africa in 1995.

[110] Ewing see note 33 at 89.

[111] Ewing.

[112] Leatt, A., Rosa, S. & Hall, K. 2005. *Towards a Means to Live: Targeting Poverty Alleviation to Realise Children's Rights,* Children's Institute UCT, page 8.

population[113]. The second cause resulted from the rapid rise of the South African economy in the global marketplace and the subsequent unemployment that followed. The third cause is the HIV/AIDS epidemic where homes were deprived of breadwinners and, at times, of a complete family structure. The impact of HIV/AIDS on children and families has brought with it additional challenges, not previously envisaged when the rights of children were introduced and developed[114]. For example, children living in households, already devastated by poverty and deprivation, may find their situation further exacerbated when confronted with the illness or death of a parent/caregiver as a result of HIV/AIDS. This increase in the number of orphans and decrease in productive members in a home, or even a community, places much of the burden of care on the shoulders of women, caregivers, elderly people and the children themselves, all with very limited access to available resources[115].

The response to the rising rate of OVC has been one where intergovernmental departments and inter-organisational plans have been recommended to introduce strategies that are able to address previous and new challenges, i.e. different government departments and organisations dealing with OVC need to plan and work together in policy networks. The policy and strategies put in place to address some of these concerns inform both the theoretical and empirical part of this doctoral study.

1.6 The research project

This section introduces the area of study on which this dissertation is based. The research is focussed on two case study projects which employed policy intervention strategies aimed at the alleviation of childhood poverty, using a diverse number of stakeholders, with a variety of resources within a networking arrangement.

1.6.1 The research problem: Solving policy problems through cooperative networks

Over the years, government and civil society have been proactive[116] in their individual efforts to counter poverty and this has resulted in addressing many of South Africa's

[113] Leatt see note 112.

[114] South African Constitution 108 of 1996; Convention on the Rights of the Child (CRC).

[115] Colgan, D. 2007. Focus Group Overview: Succession Planning Project for the National Action Committee of Children Affected by HIV/AIDS (NACCA) UNICEF, page 3.

[116] Habib see note 9: Mbeki, T. 2004. Address on the Occasion of his Inauguration and the 10th Anniversary of Freedom.

structural poverty issues[117]. Unfortunately government's obligation to provide access to 'social justice for all'[118] has been plagued by implementation problems which have attracted much criticism, by individuals, community and the non-governmental sector alike [119]. The development of policy and strategies aimed at addressing complex social problems, such as poverty and inequality — where the needs of vulnerable, poor and often excluded individuals are considered — cannot be the sole responsibility of government. These complex problems require the development of ambitious policies, calling on 'networked structures for execution', to use the words of O'Toole[120]. Yet, at this current time in South Africa, there is very little indication that existing strategies have successfully used the services of already existing networks or created successful and integrated partnerships that co-operate over a continuous and sustained period of time. This is despite the fact that the potential exists to do so.

The intention of this doctoral study is to examine and learn from the development and implementation of strategic programmes aimed at poverty alleviation[121] that involved state and non-state actors acting within a network. The issue investigated by the study is the extent to which groups from civil society, working alongside government, are able to offer an effective and sustainable programme of assistance. The primary question being asked, in light of the fact that there are multiple stakeholders involved is, how and in what manner are diverse stakeholders able to work together in order to realise substantive policy objectives that are anchored in constitutional principles and situated in the field of childhood poverty?

1.6.2 The thesis statement

This thesis explores how networks of organisations, from within government and civil society, are able to address problems of a social justice nature that confront people already living in circumstances of deprivation and impacted by the HIV/AIDs epidemic, with a specific focus on children and children's rights. Although the challenge of

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[117] According to a study undertaken by the Mbeki Presidency, it was argued that there had been significant advances taken in the struggle against poverty, Policy Coordination and Advisory Services (PCAS), Presidency. 2003a. *Towards a 10 year review: Synthesis report on implementation of government programmes*. Also see note 91.

[118] For the purposes of this research proposal, social justice is seen as a concept that can be used to describe a society where justice is achieved at all levels of society. This means that in the everyday lives of all citizens, human rights and equality are fundamental. Where poverty and inequality are present in a society, its' citizens will lose confidence in the institutions of state, and as a result democracy and the Constitution can be undermined.

[119] Habib see note 9.

[120] O'Toole, L. 1997. 'Taking Networks Seriously: Practical and Research Based Agendas in Public Administration', *Public Administration Review*, 57 (1), page 45-52.

[121] Such problems are often referred to as 'wicked problems' because of their complexity and as a result the combined resources of many actors is required.

establishing a suitable definition for poverty remains a primary concern for government, what is of particular relevance to this thesis was the ability[122] of government and civil society to effectively work within a policy network structure, implementing programmes aimed at addressing complex social problems such as poverty, HIV/AIDS and childhood poverty. These 'wicked problems'[123] present a particular challenge to governments because they 'defy precise definition, cut across policy and service areas and resist solutions offered by a single agency or 'silo' approach'[124]. Consequently, the study commences with an analysis of the collaborative process adopted by government[125] in the formulation of policy aimed at addressing these complex social problems. The second part of the study then shifts to an examination of programmes implemented within a network structure, using the lens of the policy network approach. The analysis in this part is based on the view that the success or failure of policy is best determined by its successful implementation at grassroots or street level[126].

The thesis argues that the approach to policy development, which is discussed in Chapter 2, has changed. It is no longer the hierarchical approach of the past and no longer the sole concern of government. Consideration of complex social problems increasingly takes place within and across communities, involving an array of stakeholders and thus ensuring that the policies developed are relevant and offer a more integrated, holistic response towards the issues being addressed. The policy network approach is viewed in this study as the appropriate approach bringing together stakeholders ─ state, non-state, inter-organisational and inter-governmental ─ who are best able to address complex interlinked problems[127].

The thesis is set against a backdrop of poverty and inequality where the key belief (and associated argument) was that poverty excludes individuals and communities from participation, and thus from representation at a formal policy making level. And, because children are reliant on adults to speak for them and represent their interests,

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[122] Displaying willingness and capacity to work in an integrated and cooperative manner with other actors.

[123] O'Toole note 120.

[124] Keast, R., Mandell, M., Brown, K. & Woolcock, G. 2004, 'Network structures: working differently and changing expectations', *Public Administration Review*, vol. 64, no. 3, page 363.

[125] In terms of various policy documents such as the Policy Framework and the National Action Plan for orphans and other children made vulnerable by HIV and AIDS, coordination with other stakeholders was seen as fundamental to the successful implementation of the planned strategies (National Action Plan for orphans and other children made vulnerable by HIV and AIDS. 2006–2008. Gender Justice Unit). Also see; Government of the Republic of South Africa see note 99 at 5, `reinforce partnerships at all levels among government departments and agencies, business, organized labour and other civil society organisations and non-government organisations.'

[126] Lipsky, M. 1980. *Street Level Bureaucracy: Dilemmas of the Individual in Public Services,* page xii.

[127] Head, B. 2008. 'Three Lenses of Evidence-Based Policy'. *Journal of the National Council of the Institute of Public Administration*, Australia, page 3-4.

children therefore face the possibility of being further excluded at a policy development level. Understandably, in terms of government's constitutional and international obligations, it has a duty to protect and care for children in South Africa and government has developed several policies and legal frameworks[128] in order to fulfil its commitments. These developments specifically provide for the wellbeing and protection of children,[129] and although they are an improvement on the past they continue to present their own challenges[130]. For example, in the succession planning project the issue of children's property rights and inheritance was an area overlooked by law and policy makers for many years, despite receiving feedback from child protection agencies who were confronted with these issues in the communities where they worked[131]. In cases, such as inheritance, children are entirely dependent on adults to represent their property interests and where adults are reluctant, unaware or unable to do so, children are confronted with ongoing, often unnecessary, deprivation and loss[132].

Ultimately policies developed, through collaborative stakeholder networks need to be translated into programmes that can be implemented in order to strategically address problems of deprivation in areas such as health, education, basic services, housing and access to social relief. It is primarily[133] at this implementation stage that the research study focuses its empirical investigation.

The research questions begin with a broad enquiry relating to relevant policy instrument/s developed which aim at setting benchmarks for policy development and implementation. Next, the research assesses the implementation, within the network, of policy and strategies identified and here an examination is made of the networking process adopted and followed whilst the planned strategies were being implemented.

1.6.3 Research questions

The key research questions are aimed at examining policy networks at both the high end of policy development and the lower end of implementation. Policy that has been

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[128] Children's Act 2005 and Children's Amendment Act 2007.

[129] The Children's Act No. 38 of 2005, as amended in 2007, came into force on 10th April 2010.

[130] Although this critical discussion does not fall within the scope of this doctoral study.

[131] Colgan, D. 2007. Succession Planning Report for NACCA. UNICEF; See Rose, L. 2006. *Children's property and inheritance rights and their livelihoods,* LSP Working Paper *39,* Food and Agriculture Organisations of the United Nations.

[132] Currently approximately 80 million rand remains unclaimed in the Guardian's Fund. This money could change the lives of many children.

[133] There will be some empirical research conducted when looking at how the policy was developed. This will be in the form of one-on-one interviews with representatives from UNICEF, Department of Social Development (DSD) and the National Action Committee for Children infected and affected by Aids (NACCA).

developed to address the main concerns outlined in the two case studies, mentioned in the rationale of the study (Section 1.2), was identified and examined in terms of the primary research question which examines policy making at the high end (Figure 1.1). The primary research question is:

> How and with what effect do institutions, such as the DSD, UNICEF, NACCA and stakeholders from civil society, work together to realise the substantive policy objectives as anchored in the principles of the Constitution of South Africa, situated in the field of childhood poverty and vulnerability?

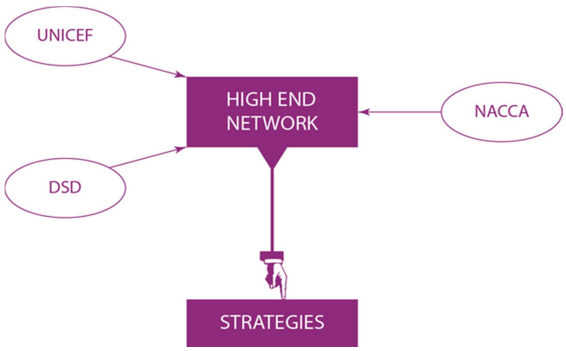

Figure 1.1: The high end network: Strategic Influence on lower end implementation
Note: The high end network is one of the two foci of the research. The second focus is the lower end network and policy implementation strategy

As stated in Section 1.1 the study focuses on two case studies of policy making through networking, namely the succession planning and children's act projects. South Africa's Department of Social Development (DSD), United Nations Children's Fund (UNICEF) and National Action Committee for Children Affected by HIV/AIDS (NACCA) are the key policy actors in the projects[134]. The unit of analysis is the inter-institutional operations (by the DSD, UNICEF and NACCA) that pursue the projects of empowering community level agents to engage with the problem of advancing the rights of children affected by HIV/AIDS, and who live in conditions of poverty in South Africa.

In order to examine and compare the policy implementation process adopted and actor interaction taking place within both case studies, a secondary (supplementary) research question has been included. At this level, the focus of the study moves to looking specifically at the implementation of strategies identified within the high end network and how these are ultimately delivered at the lower end. This part of the research takes place at both the high end, with certain key stakeholders, and at the lower end amongst practitioners and community workers (see Figure 1.1 and Figure 1.2).

[134] NACCA was only involved with the Succession Planning Project and in the later rollouts became less involved.

The aim of the supplementary research question is to explore the implementation of policy through the lens of the networking approach. The first part of the supplementary question is therefore:

> How, and in what way, do actors working within a networking arrangement make progress toward meeting the needs of OVC as set down in policy and implemented through the two case study projects — children's act and succession planning projects?

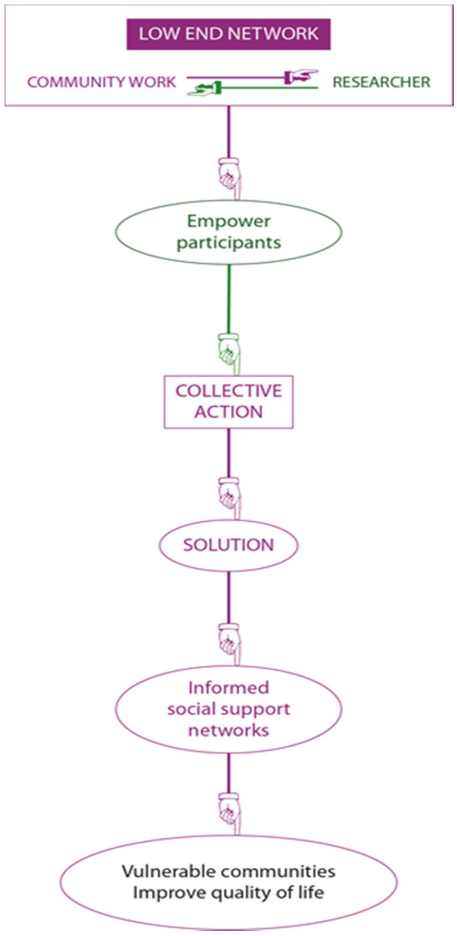

Figure 1.2: Simplified schematic: Vision of lower end network project implementation and result
Note: The lower end network is the second focus of the research

The second part of the supplementary research question explores both the primary and secondary outcomes of the strategies that were adopted. The primary outcome investigates the success or failure of the two projects in the building of a network of strategically placed resource people within the targeted communities. This is one of the primary objectives of both case studies[135]. The secondary outcome broadly explores the impact on and the potential for programmatic development aimed at capacitating resource people, both public and private. The question asked at this level is:

[135] Although in the succession planning project this was a process that was more complex and called for appropriate planning to ensure that resource people were strategically targeted.

What was the impact of capacitating a network of resource people — as identified in the two case studies — on the target audience and what is the potential for ongoing program development in this area?

It has been argued that when addressing issues of poverty and improved social justice goals, the task is too great for government to 'go it alone'. This means that if we are serious about recognising and giving effect to socio-economic rights then, as Jansen van Rensburg succinctly states, `it is essential that an enabling environment be created through strong institutions and agencies'[136]. This raises the question as to how serious government is about ensuring the delivery of social justice and in what way are non-governmental institutions involved in the process? In order to develop an understanding of the use of a more integrative, cooperative approach to policy implementation, the thesis focuses on the concept of policy networks as an approach or model to adopt.

1.7 Policy networks

In the modern world of policy making, policy problems are viewed as too complex and multi-layered to fit the problem solving structures of a traditional government. In such a context, policy networks are viewed as best suited to this modern world of complexity[137]. In chapter 2 the literature on policy networks is discussed in some detail but a brief introductory outline is provided below establishing the theoretical framework for the research.

In examining early policy network literature, writers have questioned whether 'policy networks constitute a mere metaphor, a method, or an analytical tool?'[138]. Many argued that policy networks should be seen as referring to analytical concepts used mainly, albeit usefully, `to connote the structural relationships, interdependencies and dynamics between actors in politics and policy making'[139]. Thus, in this context, policy networks are viewed as analytical models and not as a theory in the strict sense. These authors state that the policy network approach lacks rigorous empirical testing[140] and that much

[136] Jansen van Rensburg, L. 2001. 'The Role of Supervisory Bodies in Enforcing Social Security Rights.' In: Olivier, Kalula *et al.* (eds.) *The Extension of Social Security Protection in South Africa–A Legal Inquiry,* page 129

[137] Sandström, A. & Carlsson, L. 2008. The Performance of Policy Networks: The Relation between Network Structure and Network Performance. Policy Studies Journal; (36) (4).

[138] Börzel see note 19 at 253. Also see Bessusi (2006).

[139] Börzel at page 258

[140] Gains, F. 2003. 'Executive Agencies in Government: The Impact of Bureaucratic Networks on Policy Outcomes.' *Journal of Public Policy. Vol 23(1),* page 56.

of the literature on policy network approach is merely descriptive[141] in nature.

Bessusi and authors, such as Koppenjan, Klijn and Rhodes argue that this should not limit the development of policy network theory and that the uncertainty around the theory, at that time, allowed it to 'permeate even more empirical and comparative works'[142]. They argue that policy networks are founded on strong theoretical basis and that the two key advantages of the policy network theory, as a theory, are that: 1) it highlights the power dependencies that arise from resource exchange, and 2) it points to the importance of network integration in policy implementation[143]. Additionally, some of the authors who see policy networks as a theory also argue that it is a model capable of explaining policy dynamics and outcomes and can therefore offer a solution to problems of collective action[144].

Based on this latter view policy networks are seen as different from other forms of non-hierarchical co-ordination approaches as they `enable strategic action based on communication and trust, although this approach is not without its theoretical contradictions'[145]. The importance, for this approach, is the fact that policy networks offer an alternative to the hierarchical and rationalist mode of policy making and are thus a more appropriate reflection of the new political reality[146]. It also sets the benchmark against which the policies developed can be measured.

In terms of the analysis of policy it is significant to this study that public policy scholars have begun to focus on the examination and evaluation of multiple interactions that take place within a network, using the network concept as a tool of analysis. In Chapter 3 the exposition of the research methodology will detail how network analysis is used in evaluating policy developed and implemented, using complex multi-faced interactions, specifically focussing on the roll-out of social justice programmes for children.

The status and understanding of poverty and the concept of the responsibility and purpose of networks at high and lower levels of government and society (see Figure 1.1

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[141] Kenis, P. & Schneider, V. 1991. 'Policy Networks and Policy Analysis: Scrutinizing a New Analytical Toolbox.' In: B. Marin & R. Mayntz (eds.) *Policy Networks: Empirical Evidence & Theoretical Considerations,* page 40.

[142] Bessusi, E. 2006. 'Policy Networks: Conceptual Developments and their European Applications'. Paper 102, *Working Paper series UCL,* page 14.

[143] Hazlehurst, D. 2001. *Networks and policy making: from theory to practice in Australian social policy*, Discussion Paper No.83, Policy Analysis report, Australian National University, page 8.

[144] Rhodes, R. 2006. 'Policy Network Analysis'. In: M. Moran, M. Rein & R. Goodin (eds.), *The Oxford Handbook of Public Policy,* page 425.

[145] Börzel see note 19 at 264. Sabatier (1993) refers to such networks that pursue and influence policy outcomes as `advocacy coalitions'.

[146] Hazlehurst see note 143 at 8.

andFigure 1.2) have been introduced as a background and context to the study. The outline of the thesis structure shows how these concepts will be developed and how the research is undertaken in order to answer the research questions.

1.8 Outline of the chapters

Chapter 1 introduces the overall study, setting the context and rationale for the thesis whilst also situating the purpose of the study. In this chapter, both the focus of the investigation and summary of the study can be seen through the research questions posed. The policy network approach was introduced as best suited, from a theoretical and practical perspective, to address the substantive policy issue of poverty and inequality in South Africa. Because poverty and inequality have had an immense impact on the lives of many children in South Africa the chapter then outlines the many challenges that arise as a result of unclear definitions and 'wicked' problems. The chapter closes with a brief introduction to the concept of policy networks outlining its suitability to answering the questions posed in this study.

Chapter 2 elaborates on policy network literature, exploring in a theoretically-anchored way its potential as a descriptive form of study, a model, a form of analysis or theory. Three decades plus of research on the policy network approach has contributed to the evolution of a wide body of descriptive and empirical studies. Through the literature the strengths and weaknesses of the approach reveal themselves, informing and contributing to foundational arguments on the network approach as a theory. The chapter introduces the various phases through which the literature developed, highlighting governance and management dilemmas; investigating solutions to the challenges within a network environment. The relevance of policy network analysis is considered and the appropriateness of policy networks as a model or as a tool for analysis is interrogated. The value of network analysis in a study of this nature is noted, illustrating the shift by public policy scholars toward studying multiple interactions within a network. This all works toward establishing the conceptual and theoretical underpinnings of the study and its contribution to policy making in a diverse and difficult area such as poverty and access to social justice. The chapter concludes with a summary on the role of actors in a network and the value of policy network arrangements in resolving complex problems.

Chapter 3 introduces the empirical side of the research, outlining the various approaches adopted in the analysis of the policy network, using case study

methodology and the action research approach. The chapter sets out and discusses the methodology followed, describes the research tools used to capture complex data from diverse sources, and elaborates on the approaches adopted in order to answer the three questions posed in the study.

In Chapter 4 the development of a new legislative and policy framework for children is explored in some detail, using the policy network approach as a lens for analysis. It commences with and examination of the collaborative process, adopted by civil society and the state, which influenced the introduction of a new law for children and culminated in the development of the Children's Act No 38 of 2005. Of significance to the study is the government's ability to work with stakeholders within and across various government departments, civil society groups and international agencies. Through examining the process followed in formulating and developing the applicable policy and law the chapter sets out to answer the primary research question asked which is:

> How and with what effect do institutions, such as the DSD, UNICEF, NACCA and stakeholders from civil society, work together to realise the substantive policy objectives as anchored in the principles of the Constitution and situated in the field of childhood poverty and vulnerability?

The chapter concludes after identifying the key highlights in the development of policies aimed at addressing the issue of orphans and vulnerable children, infected and affected by HIV/AIDS (OVC). The policies and strategies highlighted in this chapter create the foundation upon which the two case studies, which inform the dissertation, are based.

Chapter 5 serves as an introductory chapter to the two case studies — the succession planning and children's act projects — in chapter 6 and chapter 7 respectively. This chapter provides the foundation on which the network structures were developed for implementation of policy, including an overview of the high end network actors involved in the process. It introduces the different phases of policy implementation, from design and planning through to the roll-out of the training workshops and on to the final confirmatory workshops.

Chapter 6 explores the larger of the two case studies, the succession planning project, viewing each phase of implementation using the policy network approach as a yardstick against which the project is examined. The research is founded on the notion that networks are made up of actors who are mutually dependent on one another and are unable to achieve their objectives without involving other actors. Because actors need to cooperate with one another, relationship building and interaction play a crucial role in

improving the interorganisational coordination of a network. Management of a network shifts from hierarchical control to a more facilitative role and an inability to acknowledge the change could result in the inappropriate use of strategies ill-suited to a networking arrangement. A fundamental part of the chapter focusses on actor perceptions and on implementation processes. The first half of the chapter is a qualitative study, which is divided into two parts. The first part describes the process followed during Phases 1 to 3 (planning, research and piloting). The second part the roll-out of training examines actor interaction and coordination of the network using a qualitative approach. The last part of the study is a quantitative study of the training roll-out (Phase 4). This part of the study looks at the participants involved, building a picture that illustrates and maps the areas where training took place and where trained delegates live and work. The chapter sets out to evaluate the impact that the succession planning training project had on the targeted communities, examining the spread of service provider networks against OVC needs, using maps to illustrate this effectively.

Chapter 7 provides an examination of the smaller of the two case studies, the children's act project. It studies the process followed during the early implementation of the project with high end actors from DSD, UNICEF and civil society. It then moves into the pilot phase of the project, where the focus shifts from public-private collaboration to an inter-organisational collaboration. It explores the development of collaborative relationships, examining the notion of trust and its impact on relationship building. Finally, it concludes with a brief overview of shifts within the partnership between the two organisations and the potential of a future public-private interaction once again.

Chapter 8 concludes the study, providing an analysis of the role played by non-state actors in the formulation and implementation of law and policy in the child's rights arena. It illustrates the varying intentions of the state to engage with its civil society partners at different stages of the policy making process, indicating a range of state and civil society engagement through policy networks. The analysis highlights two important characteristics of a policy network, first the unique structural nature of the network, calling for a rethinking of old approaches and strategies and, second, the building of actor relationships within the network environment.

Chapter 2 : Policy Networks as a Theory

2.1 Introduction

To contribute to the growth in understanding about the use of a more integrative, cooperative approach in improving both access to and the delivery of social justice in South Africa, this chapter examines the vast array of literature on the policy network approach, focusing on the descriptive body of writings and on empirical studies that have evolved over almost three decades of research, since the 1980s. From this body of work a diverse number of typologies, concepts and models of the policy network approach have developed. The strengths and weaknesses of the approach reveal themselves through the literature and also contribute to the foundational arguments around the network approach as a theory.

The chapter begins with an examination of the debate relating to networks as a description, model or theory. The discussion explores the various phases and schools of thought through which the literature on policy networks has evolved; including an examination of the two major approaches, the interest intermediation or governance approach. Included in the chapter is an overview of the operationalisation of a network and the role played by network managers. After exploring network governance and looking for solutions to management dilemmas within the network context, the literature review on policy network analysis then questions the appropriateness of policy networks as a model or as a tool for analysis[147]. In terms of policy analysis, it is of some significance that public policy scholars have begun to focus on the examination and evaluation of multiple interactions taking place within a network, using the network concept as a tool of analysis. This debate, followed through scholarly articles, contributes toward building the conceptual tone and theoretical argument relevant to a study of the development and implementation of policy within policy networks. The chapter then concludes with an overview of the network actors' position within a network and the role the network actors play in the realisation of complex policy objectives such as addressing poverty and HIV/AIDS.

Network analysis comes in many different forms[148] yet, according to Rhodes, there are

[147] Börzel, T. 1998. `Organizing Babylon–On the Different Conceptions of Policy Networks'. *Public Administration. (*76), page 258-259.

[148] Rhodes, R. 2006. 'Policy Network Analysis'. In: M. Moran, M. Rein & R. Goodin (eds.), *The Oxford Handbook of Public Policy,* page 425.

three principal uses: 1) when describing governments at work; 2) as a theory when analysing the policy making of government; and 3) as a prescription for reforming public management[149]. Policy networks form a useful framework to describe how governments function. When looking at arguments about policy networks as a theory, the literature is filled with contradictions and controversial debate with much of the ongoing debate forming an integral part of this chapter and ultimately directing the approach adopted in the research study. The features that drive policy networks provide a functional alternative to classic methods of public management.

The body of literature that developed around the study of networks as a theory has come out of the United Kingdom (UK), Europe and the United States of America (USA). It is a relatively new area of study that emerged in the 1980s, went through a period of extensive research and publication during the 1990s and continues to contribute toward 'endless debates on how we know what we know in the social sciences'[150]. In reality much of the literature in the early 80s, refers to policy network analysis as a toolbox to analyse other theories and not as a theory in its own right. And, to this day, despite an extensive body of literature developed during 1990 to 2000, the criticism of the policy network approach focuses primarily on its lack of theoretical grounding.

In this chapter, due to the specific nature of the research and limited writings within the South African context, many of the authors selected for the study have been drawn primarily from Western influences. To cover reasonable ground in a field that is contested and variable, it is therefore important to broadly examine the evolution of policy network literature, taking place from the 1980s to the early 2000s and across a variety of perspectives. Through the literature, the notion of policy networks has been highlighted as a contested area where authors view them either as a metaphor, tool or theory. Additionally, the literature of Klijn, Koopenjan, Kickert and O'Toole[151] focuses on policy management and implementation in a network, indicating that participating actors are interdependent as they cannot attain their goals or objectives alone[152]. It is also argued that the value of a network approach lies in the fact that complex social problems, 'wicked problems', such as poverty, inequality and HIV/AIDS are best dealt with outside the typical centralised approach of the past and that policy networks offer a

[149] Rhodes see note 148 at 426.

[150] Rhodes at page 442.

[151] Kickert, W., Klijn, E. & Koppenjan, J. 1997. 'Introduction: A Management Perspective on Policy Networks'. In: W. Kickert, H. Klijn & J. Koppenjan, *Managing Complex Networks: Strategies for the Public Sector,* page 6; O'Toole 1997.

[152] Kickert, Klijn, & Koppenjan at page 6.

broader more creative opportunity to solve such complex issues.

2.2 Policy networks: Distinctions and divisions

An exploration of the literature reveals that in order to develop an understanding of institutional networking as a theory, it is important to note that the concept varies significantly between different disciplines and schools of thought. These variants can be attributed to two broad factors: firstly the complexities of the modern world as presented by both nature and society, where networks exist and are an integral part of the 'architecture of complexity'[153] that confronts the world, and; secondly, more specific to the study itself, the 'Babylonian variety of understandings and applications'[154] in the policy network literature that tries to explain network behaviour. Nevertheless, the concept and the term itself has become a popular catchphrase of the 21st century and as Rhodes states, 'Networks are no longer a metaphor or a site for arcane theoretical disputes but a live issue for reforming public sector management'[155].

2.2.1 Introduction to different schools of thought

The (lowest) common denominator, shared by these different schools of thought, is that 'they [networking relationships] are a set of *relatively stable* relationships which are non-hierarchical and interdependent'[156]. Networks link a variety of actors, who share common interest/s with regard to policy and who exchange resources to pursue these shared interests, acknowledging that cooperation is the best way to achieve common goals'[157]. From the governance perspective, policy networks are best understood as, 'webs of relatively stable[158] and ongoing relationships which mobilise dispersed resources so that collective (or parallel) action can be orchestrated toward a solution of a common policy problem'[159]. Kickert, Klijn and Koppenjan from the 'governance club'[160] at Erasmus University, Rotterdam, define policy networks as 'more or less

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[153] Kenis, P. & Schneider, V. 1991. 'Policy Networks and Policy Analysis: Scrutinizing a New Analytical Toolbox.' In: B. Marin & R. Mayntz (eds.) *Policy Networks: Empirical Evidence & Theoretical Considerations,* page 25.

[154] Börzel see note 147 at 255.

[155] Rhodes see note 148.

[156] Interdependency is central to the networking approach. See Hazlehurst, D. 2001. `Networks and Policy Making: from theory to practice in Australian social policy.' *Discussion Paper No 83*, page 7.

[157] Börzel see note 147 at 254.

[158] McGregor would argue that these relationships are dynamic and evolve overtime. McGregor, S. 2004. 'Modeling the Evolution of a Policy Network Using Network Analysis', *Family and Consumer Sciences Research Journal*, (32) (4), page 382-407.

[159] Kenis & Schneider see note 153 at 36. In this context policy networks are seen as a new form of governance.

[160] Rhodes, R. 1997. 'Foreward by Professor R.A.W. Rhodes'. In: W. Kickert, E-H. Klijn & J. Koppenjan. 1997. *Managing Complex Networks: Strategies for the Public Sector,* page xiii.

stable patterns of social relations between interdependent actors, which take shape around policy problems and/or policy programmes'[161]. This latter formulation significantly influenced the research direction taken in the examination and comparison of the two case study projects, through the lens of the policy network approach.

Historically speaking, it was during the late 1980s when networks[162] revealed their relevance to policy making. Because of the changing social and political environment, governments have had to 'become increasingly dependent upon the co-operation and joint resources mobilization of policy actors outside their hierarchical control'[163]. The classic instruments of government and hierarchical bureaucracies found they lacked the capacity to acquire all the necessary information and resources for efficient and effective policy making in the modern public policy world. Thus, as Schneider points out, '(m)aking effective public policies in advanced industrial societies can no longer be exclusively performed by traditional political institutions such as parliament and the government apparatus alone. The complexity of policy problems and the dispersion of policy resources make the direct inclusion of private actors in the public decision making a functional requisite'[164]. In response, networks have gradually evolved to accommodate this new complexity. This evolution has contributed to the notion that the policy network approach has become an approach that is particularly suited to the changed world context and is 'better able to cope with the complexity and uncertainty of the new world of participation outside of the formal hierarchical state function ability'[165].

Obviously, this shift toward policy networks in making and implementing policy blurs the boundary between state and society and, according to the literature, marks 'a real change in the structure of policy'[166]. Some scholars would go so far to argue that a policy network is a specific and emerging form of governance[167]. Therefore, in this thesis, it is important to establish whether, based on the existing body of literature, the policy network approach is capable of rigorous interpretation as a theoretical concept or method. Undisputedly authors agree that policy networks work well as an analytical

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[161] Kickert, Klijn & Koppenjan see note 151 at 6.

[162] Although, according to Bessusi (2006) early ideas on policy networks emerged as early as the 1950's and 1960's in the US. Bessusi, E. 2006. 'Policy Networks: Conceptual Developments and their European Applications'. Paper 102, *Working Paper series UCL,* page 4.

[163] Börzel note 147 at 260.

[164] Schneider, V. 1992. 'The structure of policy networks: A comparison of the 'chemicals control' and 'telecommunications' policy domains in Germany'. In *European Journal of Political Research (21),* page 112.

[165] Kenis & Schneider see note 153 at 34.

[166] Börzel note 147 at 260.

[167] Besussi note 162 at 4.

concept used to 'connote the structural relationships, interdependencies and dynamics between actors in politics and policy making'[168] yet the literature questions whether 'policy networks constitute a mere metaphor, a method, an analytical tool?'[169].

Because of `a Babylonian variety of understandings and applications'[170] in the literature on policy networks it is often difficult to avoid the ambiguity that is brought on by a lack of certainty or clarity. Definitely the focus of a network will alter depending on the school of thought, the focus of the study on the actors, the network structure or the network outcomes. Although, as Börzel points out, most of the network typologies in the literature would probably agree that policy networks are viewed as a power dependency relationship between government and interest groups, where resources are shared and exchanged. Yet, they would all probably differ from each other 'according to the dimension along which the different types of networks are distinguished'[171]. This body of literature shows the diversity of the research and scholarship around policy networks, their management and their analysis. It also proves that, as Peterson says, policy network literature is hard work[172]. Nonetheless both Börzel and Besussi have assisted in making sense of this vast and confusing body of literature through their identification of certain distinct divides between the different schools of thought[173].

2.2.2 Major divides in network literature

Besussi identifies three major divides that structure the current literature on policy networks and points out that, *in her opinion,* these divides are not about to be bridged any time soon[174]. The main divides referred to are: firstly authors who understand policy networks merely as a metaphor, albeit a useful metaphor[175], from authors who see it as a theory or a model; secondly, although much of the literature acknowledges policy networks are a useful tool for analysis they cannot agree on whether it is a qualitative or quantitative tool of analysis; thirdly and significantly, is the divide between those authors who view policy networks as a typology of interest intermediation and governmental

[168] Börzel see note 147 at 258.

[169] Börzel at page 253; Bessusi see note 162.

[170] Börzel see note 147 at 255.

[171] Börzel.

[172] Peterson, J. 2003. 'Policy Networks', *Political Science Series (90),* Institute for Advanced Studies.

[173] Besussi see note 162; Borzël see note 147, who distinguishes between: (1) Method: qualitative or quantitative; and (2) Typology or theory.

[174] Besussi see note 162.

[175] Dowding, K. 1995. 'Model or Metaphor? A Critical Review of the Policy Network Approach'. *Political Studies*, XLIII, page 136-158.

institutions or a specific and emerging form of governance.

2.2.2.1 Policy networks as a metaphor

In relation to the first divide; between those authors who view policy networks as a metaphor[176] and those who see policy networks as a theory or a model capable of explaining policy dynamics and outcomes[177]. Dowding is one of the main protagonists against the notion of policy networks being seen as a viable theory. In his opinion policy networks, as a concept, have been used predominantly as a descriptive or an analytical device illustrating and describing general phenomena of the time but nothing more. He acknowledges that although 'metaphors are heuristically helpful devices they should not [and cannot] be treated as theoretical models that will be able to explain policy changes or outcomes'[178]. He says that they fail because the independent variables (characteristics of the actors and the relational variables), the driving force of the explanation, are 'not network characteristics per se'. They are simply 'characteristics of components within networks'[179]. If policy network analysis is aimed at relational characteristics then why focus on the actors and not the relationships between them?

2.2.2.2 Policy networks as a theory

Authors, arguing from the other side of the divide, view the story of policy networks as no longer about 'an innovative idea but a commonplace notion in almost every nook and cranny of both political science texts and British government textbooks in particular'[180]. To Klijn and Koppenjan[181] the wide variety of definitions and typologies in network literature reflects the fact that there is a rich theoretical tradition on which the network approach is founded. They argue that the theoretical basis of policy networks can be found in policy science, organisational science and political science[182]. From this perspective, the policy network approach has rich theoretical foundations, evolving gradually into its own distinctive theoretical framework with a body of literature

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[176] Dowding see note 175 at 137.

[177] In Europe: Kickert, Klijn and Koppenjan 1997, Börzel 1998; In Britain: Rhodes 1988, Rhodes and Marsh 1992, Wilks and Wright 1987; In USA: O'Toole 1997, Salamon 2002.

[178] Dowding see note 175 at 137.

[179] Dowding at page 137.

[180] Rhodes see note 148 at 441.

[181] Klijn, E. & Koppenjan, J. 2000: Public Management and Policy Networks, *Public Management: An International Journal of Research and Theory,* 2:2, page 135-158.

[182] Klijn, E. 1997. 'Policy Networks: An Overview'. In: W. Kickert, E. Klijn & J. Koppenjan. 1997. *Managing Complex Network: Strategies for the Public Sectors,* page 28.

emerging from Britain, Europe and the USA[183]. In such a framework it is assumed that policies are made in complex interaction processes between different actors within the policy network. The important key is that these actors are mutually dependent as they need to cooperate with each other to realise their goals[184].

2.2.2.3 Policy networks as an analytical tool

With respect to the second main divide, i.e. the analysis of networks; many authors would agree that policy networks are suitable analytical tools, yet they are divided on whether the tool of analysis will be qualitative or quantitative. Proponents for the quantitative approach apply it in such a way as to understand structural properties of networks measured in terms of centrality, structural equivalence and cohesion. Many[185] have followed Dowding's advice and used the Sociological Network Analysis (SNA) process to provide an explanation in terms of the properties of networks, '(q)uantification in the form of the sociological network tradition may enable us to see some of the general features which attach to network structures'[186]. Skögstad says that 'it needs to be demonstrated that it is attributes of the network itself, rather than the characteristics of the parties to the network, that is the primary explanatory element[187].

Those who use the qualitative approach to network analysis, focus less on policy network structures and more on the contents and processes of the interactions within the network using discourse analysis and in-depth interviews. Börzel points out that the two methodological approaches are not mutually exclusive but complement one another[188]. These issues on network analysis are relevant to the study in many ways and will be referred to later in the chapters 3, 6 and 7 of the study.

2.2.2.4 Policy network governance versus interest intermediation

Finally and significantly are writings that have evolved in relation to the third main divide; between policy networks as interest intermediation or as a new form of governance. Besussi sees this divide as the strongest, carrying with it the greatest

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[183] Rhodes 1988; Rhodes & Marsh 1992; Börzel 1998; Kickert, Klijn & Koppenjan 2000; Koppenjan, Kars and von der Voort 2009; Klijn and Koppenjan 2003; O'Toole 1997; Salaman 2002. Skøgstad (2005) says that Americans have made important contributions to the conceptual development, not so much on policy networks, but on issue networks (Heclo), advocacy coalitions (Sabatier), and epistemic communities (Haas).

[184] Klijn & Koppenjan see note 181 at 139.

[185] Provan and Milward 1995; Sandstrom and Carlsson 2008; Badran 2011.

[186] Dowding see 175 at 158.

[187] Dowding see note 175.

[188] Börzel see note 147 at 255.

implications. Börzel states that the literature does not often clarify the distinction between both schools and although the two schools are not mutually exclusive they do have major differences, particularly in the way they view actor interaction and the influence or impact of a policy network. In the former, policy networks are seen as analytical perspectives that can be applied to all forms of actor interaction. In the latter, policy networks are seen as applying specifically to public-private interaction, as a new form of governance, that changes or impacts on the hierarchical and market forms of governance[189]. Building on this, Bevir and Richards say that in the more recent literature policy networks are seen as 'the heart of governance'[190]. As this divide is a major part of the thesis the idea of policy networks as interest intermediation or a new form of governance are discussed in more detail below (Section 2.3 and 2.4).

2.3 Major approaches: Early influences

The early ideas on policy networks are partially founded in the roots of American pluralism and the literature on sub-governments[191]. Rhodes points out that this earlier literature emphasized, 'few privileged groups with close relations with governments, where the resultant sub-government excludes other interests and makes policy'[192].

Around this time, a variety of concepts emerged in the hope of explaining the state and interest group relationship more appropriately than those of the early pluralist or corporalist models. Out of these many terms and concepts came a label, or term, that Rhodes refers to as 'the best known label' in the literature on sub-governments[193], that of the 'iron triangle'. Such a concept took off in the USA, depicting the relationships between the relevant executive agency, the relevant congressional sub-committee and interest group organisations[194].

However sub-governments and iron triangles were seen to limit the full expression of a democratic political system and also tended to overlook the influence of other stakeholders in the policy process. Heclo[195] elaborated on this further in his critique of the notion that the American policy process was ruled by iron triangles. He argued that

[189] Börzel see note 147 at 255.

[190] Bevir, M. & Richards, D. 2009. 'Decentering Policy Networks: A Theoretical Agenda', *Public Administration* 87, page 3-14.

[191] Rhodes see note 148 at 427.

[192] Rhodes.

[193] Rhodes.

[194] Rhodes.

[195] Helco, H. 1978. Issue networks and the executive establishment. In A. King (Ed.) *The New American political system,* page 87-124. Washington DC, American Enterprise Institute for Public Policy Research.

the policy process extended beyond a few actors 'with formal power to set policy' into a 'diverse collection of stakeholders grouped into issue networks'[196]. He warned that through focusing only on a powerful few one can overlook the many webs of influence 'provoking and guiding the exercise of power'[197] and stated that policy does not happen in a vacuum but in a continually changing context replete with changing actors, degrees of interaction, and patterns of relationships. Pluralism was thus revived through the introduction of issue networks[198], a less close knit group than that of the iron triangle.

Around the same time, British authors, looking to the US literature to describe sub-governments in the UK, first used the concepts of policy networks and policy communities interchangeably[199]. Here the literature described a policy community as 'a system reflecting the fragmented nature of the society'[200]. Richardson and Jordan spoke about the need to disaggregate in a fragmented and diffuse society where there were divisions outside and within government[201]. Yet in describing these concepts neither Richardson nor Jordan attempted to categorise terms such as; policy networks, policy communities, issue networks, into any formal typology. They adopted a relaxed metaphorical use of terms based on certain characteristics seen within the policy making arenas[202]. Building on the Richardson/Jordan description, the early Canadian literature chose to distinguish between policy communities and policy networks. According to their distinction, policy communities refer to the bigger picture made up of 'the set of actors, public and private, that coalesce around an issue area and share a common interest in shaping its development'[203]. The policy community was made of two parts: 1) the attentive public; 2) sub-government. The term, policy network, was used to describe the structural or power relationship taking place between the actors in the sub-government of the policy community[204]. Skögstad states that, '(w)hatever its appeal to Canadian analysts the Canadian typology and distinction between policy communities

[196] Heclo see note 195 at 105.

[197] Heclo.

[198] Heclo.

[199] Richardson, J. & Jordan, A. 1979. *Governing Under Pressure: The Policy Process in a Post Parliamentary Democracy*. Oxford: Martin Robertson.

[200] Richardson & Jordan see note 199.

[201] Richardson & Jordan.

[202] Dowding see note 175 at 139.

[203] Skögstad, G. 2005. *Policy Networks and Policy Communities: Conceptual Evolution and Governing Realities,* Workshop on 'Canada's Contribution to Comparative Theorizing', Annual Meeting of the Canadian Political Science Association, University of Western Ontario, page 3-4.

[204] Skögstad see note 203 at 4.

and policy networks has not been equally embraced outside Canada'[205].

2.3.1 Policy networks as interest intermediation: British School

Ultimately it was Rhodes, during the 1990s, who contributed to the popularity of the policy network concept in the UK. Rhodes' work described the different interactions that were taking place between government and interest groups in a variety of policy sectors in the UK[206]. He referred to these interactions as policy networks and has clearly stated that the use of the term policy network is a generic term for all varieties of networks.

Much of Rhodes' work was influenced by the European literature on the intergovernmental nature of policy networks where the focus is more on the structural relationships between institutions, policy networks are therefore defined (with qualification) as:

> 'Sets of formal institutional and informal linkages between governments and other actors structured around shared if endlessly negotiated beliefs and interests in public policy making and implementation. These actors are interdependent and policy emerges from the interactions between them'[207].

Rhodes is also very clear that within this interest intermediation perspective, policy networks are conceived as meso-level concepts[208]. Marsh and Rhodes see policy networks as a meso-level concept that links with both the micro level of analysis, dealing with the role of interests and government in certain policy decisions, and the macro level analysis, dealing with broader questions about distribution of power in modern society[209]. As stated by Rhodes and Marsh, '(t)he policy network is a meso-level concept of interest group intermediation which can be adopted by authors operating with different models of power distribution in liberal democracies'[210].

Peterson[211] mentions that one of the strengths of the Rhodes' model of policy networks is that it is compatible with other models and has probably been employed more often than any other when studying European Union (EU) governance. In terms of the model,

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[205] Skögstad see note 203 at 4.

[206] Skögstad at page 3, says that Rhodes often focuses on 'linkages among state actors alone and believes networks are more likely to be found in policy implementation then policy formulation'.

[207] Rhodes see note 148 at 426.

[208] Meso-level refers to government and interest group relations. Later in 1986 Rhodes made several revisions to the earlier model.

[209] Bevir & Richards see note 190 at 4; Rhodes see note 148.

[210] Rhodes, R. & Marsh, D. 1992. 'New directions in the study of policy networks'. *European Journal of Political Research* (21), page 181-205; Jordan & Schubert 1992; Waarden 1992.

[211] Peterson see note 172 at 4.

there are three key determinants which help identify the type of policy network existing in a specific sector. These three determinants are: 1) the relative stability of network membership; 2) the insularity of network membership; 3) the strength of resource dependencies amongst the actors in the network[212], and can be explained thus:

1. When speaking of the relative stability[213] of network membership, the questions asked refer to the members involved in the decision making process such as: are they the same group who have dominated for a period of time, or is membership quite fluid and varies depending on the policy issue under discussion?
2. With respect to the insularity of membership, one such issue would be to consider whether it is an inclusive or exclusive process. Is there a cabal in existence that excludes outsiders or can a variety of actors, with a variety of objectives, participate in the network?
3. In speaking about the strength of the resource dependencies in a network it is important to take into consideration the degree to which actors are relatively dependent or independent of each other. Do members in the network rely heavily on each other for resources — expertise, money or legitimacy — or are most members quite self-sufficient?

Bevir and Rhodes mention 'the idea of policy networks as interest intermediation feeds into typologies and lists of characteristics of policy networks and policy communities'[214]. In terms of the Marsh and Rhodes model, focus is on the closeness of the relationships in a network and in locating these 'network types' along a continuum[215]. Thus networks can vary along the continuum depending on the closeness of the relationships within the network[216]. At one end of the continuum are `closed and close policy communities with limited and stable participation'[217]. At the other end are 'open issue networks' where different stakeholders, with a common cause or interest, come together and share information and resources[218]. In between one can find professional networks

[212] Peterson see note 172 at 4.

[213] McGregor see note 158 at 390, speaks of the evolution of a network and points out that initially networks are unintended consequences of purposive self-interest actions. However when a relatively stable configuration emerges, this network is a fact of political life that must be taken into account as each stakeholder has a position in the network, even though they probably do not see themselves in a network.

[214] Rhodes see note 148 at 427.

[215] Hazlehurst. see note 156 at 8.

[216] Rhodes see note 148 at 427.

[217] Hazelhurst see note 156 at 6.

[218] Hazelhurst see note 156 at 6.

(epistemic communities[219]), intergovernmental networks and producer networks.

A policy community has several distinguishing characteristics: participant numbers will be limited with certain groups specifically excluded; interaction between members will be frequent, of high quality and will look at all matters of concern around policy issues; there will be consistency over a period of time with respect to members of the network, their values and policy outcomes; there will be general consensus amongst actors with respect to ideology, values and broad policy preferences; and resources will be controlled and exchanged amongst all the actors in the network[220]. To Rhodes this is the ideal model and realistically no policy area is likely to conform exactly to it. At the other end of the scale is the issue network. Here the distinguishing characteristics set it apart from the ideal model where, there are many participants; interaction fluctuates and is accessible for a variety of members; there is an absence of consensus, therefore a presence of conflict; interaction between the actors is based more on consultation than bargaining or negotiation; the power relationship is also quite unequal where many participants have limited access or no resources and no alternatives to choose from[221].

Wilks and Wright[222] modified and applied Rhodes' model in a study of the relationship between industry and government. They were of the belief that interpersonal relationships between small groups were the key to policy networks, unlike Rhodes who saw networks as a wider explanation of the modern state[223]. For Wright and Wilks the policy network became 'a linking process, the outcome of those exchanges, within a policy community or between a number of policy communities'[224]. Hay and Richards argued beyond the notion of small group involvement and introduced micro-level theories of human behaviour with macro-level accounts[225]. Their argument was that individuals, seeking to realize their intentions or objectives, make a strategic assessment of the relevant context where they find themselves and adjust their actions accordingly. It is their contention that there is a dynamic interplay between structure and agency and networking is seen as, 'a practice — an accomplishment on the part of strategic actors … which takes place within a strategic (and strategically selective

[219] Haas (1992) speaks of epistemic communities; See Haas, P. 1992. 'Epistemic Communities and International Policy Coordination', *International Organisation*, 46, page 1-35.

[220] Rhodes see note 148 at 428.

[221] Rhodes.

[222] Wilks, S. & Wright, M. (eds.) 1987. *Comparative Government-Industry Relations: Western Europe, the United States and Japan*.

[223] Dowding see note 175 and Börzel see note 147.

[224] Wilks & Wright see note 222 at 297.

[225] Skøgstad see note 203 at 7.

context) which is itself constantly evolving through the consequences (both intended and unintended) of strategic action'[226].

Hay first introduced the idea about the interactive effects of context and agency within a policy network in his 1998 article titled, 'The Tangled Webs We Weave: the discourse, strategy and practice of networking'[227]. This interactive approach influenced the dialectical model developed by Marsh and Smith, who viewed network structures as able to 'constrain or facilitate action but they do not determine actions because actors interpret and negotiate constraints'[228]. In their view there is a dialectical relationship between: 1) the structure of the network and agents operating therein; 2) the network and the context within which it operates; and 3) the network and policy outcome.

Finally, Börzel refers to a further distinction in the literature between the less common concept of policy networks operating amongst people of like interests and resources (homogenous) as opposed to the more common literature that explores policy networks where actors have different interests and resources (heterogeneous)[229]. These homogenous groups would involve people who are in professional networks[230], epistemic communities[231] and principled issue networks. Interest intermediation is therefore seen in the literature as a multi-actor approach where different stakeholders are involved, to varying degrees, in influencing the policy making process and its outcome. This approach looks at a number of different public private interactions but its principle focus is on the relationships between different interest groups and the state.

The various typologies that have evolved through the literature differ depending upon the type of indicator that has been specifically emphasised[232]. This ongoing search, to classify and identify the key components of policy networks and their influence on policy outcomes, offers a significant basis for further research.

Unlike the interest intermediation school of thought, influenced largely by studies in England and USA, European writers, from the German and Dutch schools of thought,

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[226] Hay, C. & Richards, D. 2000. 'The Tangled Webs of Westminster and Whitehall', *Public Administration*, 78, page 14; Rhodes see note 147 at 437; Skøgstad see note 203 at 7.

[227] Hay & Richards see note 226 at 14.

[228] Rhodes see note 148 at 437.

[229] Börzel see note 147 at 258.

[230] Börzel at page 258.

[231] Dohan, N., Doh, J. & Guay, T. 2006. 'The role of multinational corporations in transnational institution building'. *Human Relations,* (59) (11), page 1571-1600; Haas see note 219.

[232] In later writings Rhodes (2006) comments on the flood of literature emerging over the years, continuously formulating or reformulating network models, he refers to this practice as 'uninteresting'.

view policy networks as 'a real change in the structure of polity'[233]. In this context, the German school focusses primarily on interorganisational relations[234], whilst the Dutch school, coming from a process model perspective, focusses on how networks are managed[235]. Where much of the earlier literature favours the interest intermediation approach, discussed above, the literature that focuses on the governance school is viewed as relevant to current debates; offering an alternative to the hierarchical, rationalist, scientific mode of policy making and is thus viewed as a more appropriate reflection of the new political reality[236]. This is discussed in detail below (Section 2.4).

2.4 Policy networks as a form of governance

Faced with the growing complexity of the modern world, where the boundaries between the state and the private sector have become blurred and globalisation signals a time of change, governments are confronted with the call for greater participation, equity, efficiency and flexibility[237]. This call, from different interest groups, for an inclusive, cooperative approach in the making of policy, stands in direct contrast to the traditional, centralised and hierarchical approach to policy making of the past[238]. As a result, interorganisational and intergovernmental partnerships and the need for multiple stakeholder involvement are increasingly becoming a reality in public policy making and public administration[239].

The public administration literature widely acknowledges that centralised hierarchical government is not truly where policy making can take place in the modern state. Many policy problems are considered too multifaceted to fit within the problem solving capacities of a traditional government and this has resulted in the involvement of interorganisational collaboration in the policy making and implementation process[240]. The steering that occurs within these networks is referred to as governance[241]. Where the interest intermediation school conceives of policy networks as a generic term

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[233] Börzel see note 147 at 258.

[234] Both the German and Dutch schools.

[235] Rhodes see note 160 at xiii.

[236] Hazlehurst see note 156 at 8.

[237] Bessusi see note 162 at 3.

[238] The Protection of Information Bill later the Protection of State Information Bill (B 6B 2010), when introduced illustrated a more hierarchical approach in policy making.

[239] Besussi see note 162 at 9.

[240] Sandström, A. & Carlsson, L. 2008. The Performance of Policy Networks: The Relation between Network Structure and Network Performance. *Policy Studies Journal;* (36) (4), page 497-524.

[241] Koppenjan, J., Kars, M. & von der Voort, H. 2009. 'Vertical Politics in Horizontal Policy Networks: Framework Setting as Coupling Arrangement', *Policy Studies Journal,* (37) (4), page 769; Börzel 1998; Rhodes 2006 and Besussi 2006.

applied to a variety of interactions taking place between public and private actors, the governance school views policy networks as 'a specific type of public-private interaction in public policy'[242].

Börzel identifies that, within the governance literature, one can find two differing applications of policy network approach. On one hand are authors who use the policy network approach as a 'tool-box for describing and measuring regional configurations and their structural characteristics'[243]. Policy networks are seen as an analytical concept or model that best describes the interaction of these 'separate but interdependent organisations who coordinate their actions through interdependencies of resources and interests'[244]. With respect to the first category, the literature warns that policy analysis is no substitute for theoretical analysis, it is an analytical model, a framework of interpretation therefore not a theory[245]. This aspect has been mentioned above in Section 2.2.1.4. In the second category, authors go beyond the use of networks as an analytical frame arguing that policy networks are best understood by looking at interrelationships that 'constitute interorganisational networks'[246] and not focusing on the individual actor. The interest is in policy networks that are seen as a particular form of governance within a modern society[247].

Bevir and Richards[248] say that the literature distinguishes between two broad schools of governance depending on whether network behaviour is seen through the lens of the power dependency school (Anglo-Governance) or rational choice school (Max-Planck-Institut)[249]. Here, they explain, power dependency treats networks as resource dependent organisations who, in order to achieve their goals, have to rely on and exchange resources with other organisations. Relationships between organisations are seen as a game, so relationships in networks are game-like, based on trust and regulated by rules that have been negotiated by the actors in the network[250]. Alternatively, the rational choice school combines rational choice and the new institutionalism to produce actor-centred institutionalism. Proponents of this school see

[242] Börzel see note 147 at 255.
[243] Kenis & Schneider see note 153 at 44.
[244] Börzel see note 147 at 259.
[245] Börzel 1998; Kenis & Schneider 1991.
[246] Börzel see note 147 at 259.
[247] Kenis & Schneider see note 153.
[248] Bevir & Richards see note 190.
[249] Bevir & Richards 2009; Rhodes 2006.
[250] Rhodes see note 148.

policy networks as representing a significant change in the structure of government. Here networks are specific structural arrangements that deal with policy problems and the actors in these networks are a relatively stable set of mainly public and private corporate actors. The links between network actors serve as 'communication channels for the exchange of information, expertise, trust and other policy resources'[251].

It is apparent that in the European literature on policy networks, early influences came less from the sub-government literature and more from an interorganisational approach. The interorganisational approach focuses on the structural relationships between political institutions[252] within a policy network. The key actors in these networks are not individuals they are formal organisations[253]. The interorganisational approach recognises that, for an organisation to survive it needs other organisations, more specifically it needs the resources of other organisations. The analysis of such an approach focuses on organisational relationships, resource exchange and organisational arrangements that best achieve the required cooperation and coordination between organisations[254]. Thus, the resulting exchange relationship between organisations involves the use of various management strategies. Networks here are seen as, 'complex and dynamic: there are multiple, over-lapping relationships, each one which is to a greater or lesser degree dependent on the state of others'[255].

The literature favouring the governance school argues that it is due to the complexities in the modern world of policy making that there has been a necessary shift from government to governance. Here governance is viewed as a broader notion than government, where public services and resources are provided through a permutation of government and the private and voluntary sectors[256]. Such a shift has resulted in the growth of the 'interdependence of public and private actors in policy-making' and governments becoming 'increasingly dependent on the cooperation and joint resource mobilisation of policy actors outside their hierarchical control'[257].

What this ultimately means is the change, from a centralised form of policy making to a

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[251] Bevir & Richards see note 190 at 5.

[252] Rhodes see note 148 at 428.

[253] Schneider see note 164 at 112. He says, it is a legitimate simplification to treat policy networks rather as networks of corporate actors than networks of individuals.

[254] Klijn see note 182 at 20; Also Keast, R., Mandell, M., Brown, K. & Woolcock, G. 2004. 'Network Structures: working differently and changing expectations', *Public Administrative Law,* (64) (3), page 363-371.

[255] Elkin, S. L. 1975. 'Comparative Urban Politics and Inter-organisational Behaviour'. In: K. Young (ed.). *Essays on the Study of Urban Politics,* page 175-6.

[256] Rhodes see note 148 at 430.

[257] Börzel see note 147 at 159–162.

decentralised network of actors and resources, has favoured the emergence of policy networks as a new form of governance and in this context policy networks signify a changed relationship between state and society. Rhodes points out that there are several accounts of this trend in Britain, continental Europe and the USA and that specifically for Britain there has been a shift from the unitary state to governance by and through networks[258]. In a situation where government have become dependent upon the cooperation of policy actors outside their hierarchical control[259] there is a resultant change in the processes of public policy making and implementation, '(t)hese networks cut across existing territorial, administrative and functional boundaries'[260]. According to the Commission on Global Governance, governance is defined as:

> 'The sum of the many ways individuals and institutions public and private, manage their common affairs. It is a continuing process through which conflicting diverse interests may be accommodated and cooperative action may be taken. It includes formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions have agreed to or perceive to be in their interests'[261].

Börzel provides a definition of governance that is based on the work of Mayntz and Scharpf[262]. She points out that governance can be understood as; 'institutionalised modes of coordination through which collectively binding decisions are adopted and implemented to provide common goods'[263]. Additionally, 'governance consists of both structure and process', where structure is about 'the institutions and actor constellations' and process refers to 'the modes of social coordination'[264] where actors seek to achieve change through mutual behaviour. From the Dutch school perspective Klijn argues that the policy network approach to governance points to the 'highly interactive nature of policy processes' whilst highlighting 'the institutional context in which these processes take place'[265].

Klijn and Koppenjan explain that governance 'can roughly be described as the directed

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[258] Rhodes see note 148 at 430.

[259] Kenis & Schneider see note 153 at 36.

[260] Koppenjan, Kars & Von der Voort see note 241 at 769.

[261] Commission on Global Governance: At a global level networks are being cultivated and managed by governments and international organisations and are involved in the delivery of goods and services. They are referred to as 'global public policy networks'.

[262] Börzel, T. 2010. 'Governance with/out Government: False Promises or Flawed Premises', *SFB-Governance Working Paper Series*, (23).

[263] Börzel see note 262 at 6–7.

[264] Börzel see note 262.

[265] Klijn see note 182 at 33.

influence of societal pressures'[266] and that the word governance has been used in many different contexts. Rhodes[267], for example, has six distinct uses of the concept and these can be divided into two categories where governance refers to: 1) reducing the state and distinguishing between governance and government. This is about 'doing more with less'; to do this one needs to resort to using new public management techniques; and 2) theories or cases that take into account the interdependencies of various actors who are involved[268], from public to the private. This second category refers to self-organising networks.

Klijn and Koppenjan[269] emphasize that they are specifically interested in exploring the idea of network management and that the latter group falls into this category. In addition, they warn that both conceptions of governance draw their theoretical grounding from different sources which will ultimately influence how public management and the role of government will be perceived by either grouping. Nonetheless this does not detract from the value of policy networks in governance as writers Sørensen and Torfing[270] point out that, 'in order to compensate the limits and failures of both state regulation and market regulation new forms of negotiated governance through the formation of public–private partnerships, strategic alliances, dialogue groups, consultative committees and inter-organisational networks have mushroomed'[271].

Also Laws and Hajer state that:

> 'No single actor, public or private, can have all the knowledge and information needed; no actor has sufficient overview to make the application of instruments effective; and no single actor has sufficient action potential to dominate a particular governing model. In this context governing and governance are interpreted as practice-compatible terms as dynamic, complex and diverse'[272].

Besussi argues that the governance approach holds a promise to produce more effective and legitimate policies and that 'the local networks of interested actors that were once perceived as the key reason for implementation and democratic deficits are

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[266] Klijn & Koppenjan see note 181 at 135-158.

[267] Rhodes see note 148.

[268] Klijn & Koppenjan see note 181 at 136; Also Börzel see note 147.

[269] Klijn & Koppenjan see note 181 at 136.

[270] Sørensen, E. and Torfing, J. (eds.). 2005. 'Introduction: Governance Network Research: Towards a Second Generation'. In: E. Sørensen & J. Torfing, (eds.). *Theories of Democratic Network Governance,* page 2.

[271] Sørensen & Torfing see note 270 at 2.

[272] Laws, D. & Hajer, M. 2006. 'Policy in Practice'. In: M. Moran, M. Rein & R. Goodin (eds.), *The Oxford Handbook of Public Policy*, Oxford University Press, page 413.

nowadays viewed as the primary source of legitimacy in public politics and policy'[273]. What this means is that local level processes are enhanced by the policy network approach because of the increased access of grass root communities to available networks on the ground. This bears particular significance to the South African context with respect to the current socio-economic situation and service delivery challenges.

Rhodes[274] highlights a number of different case studies of policy networks existing both beyond the confines of political science, in the world of criminology, and also into the realm of international relations[275]. He speaks of transnational networks of knowledge based experts, who have policy-relevant knowledge specific to their domain, and of transnational advocacy networks of activists such as; the UN, domestic and international non-governmental organisations and private foundations all forming an international issue network to counter the forgetfulness of governments[276].

Several scholars[277] speak of policy making in the EU where governing via networks are an essential and familiar feature. Börzel sees these processes as governing with(out) government[278]. Rhodes points out that within the global community there are a variety of networks ranging from 'networked minimalism'[279] to a multi-centric world where diverse transnational collectives compete and cooperate in a non-hierarchical manner.

Policy networks as a mode of governance are seen as offering the policy maker solutions to the problems previously encountered through the more hierarchical centralised or market oriented systems[280]. In the literature[281], policy networks are said to offer solutions ranging from: the provision of a pool of widely dispersed resources with a wide number of actors with knowledge and expertise; to an arena for 'non-strategic communicative action to overcome deadlock situations and problems of a collective action — thus offering opportunity for cooperation and even deliberation'[282]. The literature also points out that the open-ended quality of policy networks is most

[273] Besussi see note 162 at 9.

[274] Rhodes see note 148 at 230

[275] Rhodes at page 434

[276] Rhodes at page 434

[277] Peterson see note 172.

[278] Börzel see note 262.

[279] This refers to network of nation states, NGOs, private firms and subunits of government, pursuing minimal rather than ambitious objectives. Here the nation state remains a primary instrument of governance but it is not the only important actor.

[280] Börzel (2010) describes the distinction between three systems: 'While hierarchies co-ordinate social action by using command and control mechanisms, markets are spontaneous orders that emerge from the self-coordination of autonomous actors. Networks, in turn, function by non-hierarchical coordination based on the exchange of resources and/or trust'.

[281] Börzel 1998 and 2010; Kenis & Schneider 1991; Besussi 2006; Laws & Hajer 2006.

[282] Börzel see note 262.

useful when resources are variable and the environment uncertain[283].

2.5 Major challenges to governance

Although policy networks have emerged in response to the complexities confronting modern policy makers and present themselves as innovative solutions to 'wicked' problems within modern society[284], yet, they carry with them their own set of challenges and complexities. The literature[285] raises legitimate concerns about the horizontal self-coordination of actors with differing interests and resources, and states that they are 'prone to produce sub-optimal outcomes: such bargaining systems tend to be blocked by dissent, preventing the consensus necessary for the realisation of common goals'[286]. Authors such as Börzel, Kenis and Schneider[287] mention that *within the bargaining system* there are two obvious challenges that exist:

1. A bargaining dilemma, where it may be more advantageous for a rational actor to remove him/herself from the network because of the potential risk of being cheated. This is because, in some circumstances, individual actors may choose to pursue a strategy that is uncooperative and through this approach may profit by piggy-backing on other actors' efforts. Börzel says that in policy networks this dilemma can be overcome through a process of voluntary exchange, communication and the building of trust. She also says that through voluntary bargaining, networks are able to produce collective outcomes despite the diverging interests of their members.
2. A structural dilemma, the linking between intra and interorganisations obviously results in complex structures where possible conflict and antagonism can occur between organisational representatives with differing interests and agendas. Such diversity would require some skilled management. According to Börzel, the problem of horizontal coordination at several levels can be resolved either: i) in the shadow of hierarchy; or ii) within network structures.

With respect to shadow hierarchy (point 2– i), Börzel says that even though governance research is aimed at overcoming 'the strict separation between the public and the

[283] Laws & Hajer see note 272 at 413.

[284] Klijn & Koppenjan see note 181; O'Toole, L. 1997. 'Treating Networks Seriously: Practical and Research Based Agendas in Public Administration', *Public Administration Review*, 57, page 45-52.

[285] Börzel 2010; Besussi 2006; Klijn & Koppenjan 2000.

[286] Börzel see note 147 at 261.

[287] Börzel; Kenis & Schneider see note 153.

private sphere'[288] one cannot ignore the fact that government is able to make 'collectively binding rules to hierarchically coordinate the provision of common goods'. Börzel says that the shadow of hierarchy cast by government is an important part of governance with/out government because it is a major incentive for government and non-government and the self-coordination of non-governmental actors respectively'[289]. Because of the high transaction costs of 'non-hierarchical coordination' most non-governmental organisations are neither inclined to bear such costs nor are they 'institutionally committed to provide common goods'[290]. Here the threat of a hierarchically imposed decision can encourage agreement thus moving closer toward the achievement of common good and moving away from 'particularistic self-interest'[291]. The presence of a shadow of hierarchy can also reduce the incentive of actors to renege on their voluntary commitment, particularly in the case of self-coordination of non-governmental actors[292].

With respect to the second point, dilemmas can often be resolved through the network structure itself because the network provides an opportunity for informal linkages, based on communication and trust, to offer additional influences beyond the formal structures. As Börzel states, '(s)uch informal linkages … overlap with institutional structures of coordination and link different organisations independently from the formal relationships between them'. The aim of the network is to achieve a joint outcome, which provides proper value for actors within the network[293]. This is not about 'the maximization of self-interests through cost benefit calculations', instead, as pointed out by Börzel, 'the intention is to negotiate to reach a common outcome guided by either the perspective of reconciliation of interests or the perspective of optimal performance'[294]. Several scholars discuss possible means to achieve this outcome.

Lawrence Susskind, although not speaking directly on the search for cooperation in policy networks, mentions three important options that are available for the achievement of public policy consensus: 1) conversation in which one party seeks to convince the other to do something based on evidence or arguments, or; 2) hard

[288] Börzel see note 262 at 7.

[289] Börzel see note 262 at 11-12. As Börzel argues, '(t)he shadow of hierarchy provides both government and non-governmental actors with an important incentive for cooperation, albeit in opposite ways'.

[290] Börzel see note 262 at 11.

[291] Börzel at page 11-12.

[292] Börzel.

[293] Börzel.

[294] Börzel see note 262 at 12-13.

bargaining, where threats, bluff, and political mobilisation are used to gain the outcomes being sought; and 3) mutual gains negotiation that can be referred to as consensus building. In this mode parties seek to make mutually advantageous trades[295].

A further challenge, raised in the literature on policy networks as governance, is the issue that horizontal governance arrangements potentially conflict with principles of representative government. As Besussi says, '(i)n the tradition of liberal theories of democracy, policy networks are seen to undermine democracy, because they limit the power of democratic institutions and particularly elected governments'[296]. This introduces a dilemma with respect to democracy and representation. One finds that 'on one hand, they (networks) perform functions necessary to overcome the deficiencies of bargaining systems and on the other hand they cannot fully substitute formal institutions because of their own deficiencies'[297]. An important point made by many of the writers is that, despite these concerns, policy networks make a significant contribution to the territorially organised institutions of representative democracy[298].

2.5.1 Conjectures on government networks and network governance

In an interesting and useful article Klijn and Skelcher[299] look at the relationship between representational democracy and governance and set out to examine this 'highly polarized debate' through the use of four perspectives or four conjectures. They say that these conjectures are 'tentative theories designed to offer provisional solutions to problems'[300]. The conjectures can be used to guide the discussion about the relation between governance networks and representational democracy. They also argue that the attraction of this approach toward the governance debate is that the four conjectures offer both a useful framework to clarify and classify the current literature in the area and also a reference point for identification of research questions and design.

The potential usefulness of an approach of this nature in its contribution toward the debate on governance networks and legitimacy cannot be ignored. The authors point

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[295] Susskind, L. 2006. 'Arguing, Bargaining and Getting Agreement'. In: M. Moran, M. Rein, and R.E. Goodin (eds.), *The Oxford Handbook of Public Policy*, page 269.

[296] Besussi see note 162 at 10.

[297] Börzel see note 147 at 263.

[298] Jessop 2000; Rhodes 1997; Kooiman1993; Sørensen & Torflig 2005; Besussi see note 161 at 9.

[299] Klijn, E. & Skelcher, C. 2007. 'Democracy and governance networks: Compatible or not?' *Public Administration, (*85) (3), page 587-608.

[300] Klijn & Skelcher see note 299; Airaksinen, J., Tolkki, H. & Haveri, A. 2009. *Perceptions of Legitimacy in Nordic Regional Development Networks, Public Organisation Review.* (14) (4). 457-476. (Previously paper delivered at *EGPA Annual Conference,* page 7): conjectures are more like 'informed speculations than a framework for detailed empirical and theoretical research'.

out that their interest is aimed at 'governance networks' as opposed to 'network governance'. They explain that the usage of 'governance network' is to emphasise network relationships that are specifically concerned with governance, 'that is the articulation, resolution and realization of public values in society'[301]. The term 'governance network' is used to describe 'public policy making and implementation through a web of relationships between government, business and civil society actors' whereas 'network governance' is seen as a higher level concept that describes a particular mode of organisation contrasted against market or hierarchies as seen in the initial discussion on governance.

Of the four conjectures mentioned in the article, the first two: the incompatibility conjecture, and; the compatibility conjecture, directly refer to the duality of the debate around democracy and network governance, where networks are either be seen as supporting or restricting democracy. The following two conjectures; the transitional conjecture, and; the instrumental conjecture, suggest that 'governance networks either mark a transitional stage in the democratic process of public policy-making or are an instrument of domination by powerful forces'[302].

The first two conjectures directly speak to the distinction between those who argue that network governance reduces democracy and those who believe that networks compliment traditional democratic settings 'by offering additional links to society'[303]. The latter two conjectures approach the debate from a unique perspective where they either take a more optimistic view of the role of networks in a democracy when faced with 'wicked problems'[304] or they hold a more pessimistic view. Conjecture three, for example, argues that if states and markets worked well then the need for governance would not exist. Thus networking is viewed here as the rational and efficient choice when governments are confronted with 'wicked problems' that escape simple answers[305]. Conjecture four refers to the use of networked decision making by representative democracies as a means 'to reassess itself by working through procedures that are less subject to public scrutiny and accountability'[306]. Airakisen *et al*. say that here networks can be seen in a more pessimistic light where policy makers are

[301] Klijn & Skelcher see note 299 at 589.

[302] Klijn & Skelcher at page 589.

[303] Airaksinen *et al.* see note 300.

[304] O'Toole see note 284.

[305] O'Toole see note 284.

[306] Airakasinen *et al.* see note 300 at 7.

keeping crucial questions 'in the dark from the public eye and thus consolidate the oligarchic nature of decision making'[307]. Although the authors see these conjectures as different approaches to be used in network research, Airaksinen *et al.* used these conjectures in an attempt to distinguish the features of actual Nordic networks. In conclusion they state, '(s)till discussion on the dimensions of legitimacy in the Nordic networks in light of their (Klijn and Skelcher) theory brings perspective to the matter'[308].

2.5.2 The governance school: An approach for the future

Nevertheless those authors who support the governance school put forward the argument that policy networks are, potentially, more efficient and effective than other forms or processes[309]. Initially hierarchies may appear to be less time consuming and more cost effective than policy networks, particularly during the planning and decision making process of policy formulation. This is because policy networks are complex processes involving many actors who are not answerable to one entity or institutions and where the skills of a network manager/s are vitally important and cannot be underplayed. Kenis and Schneider[310] argue that the benefits of a policy network process should ultimately be seen in the implementation stage of the policy as they say, 'the potential benefits of policy networks as a mode of governance should therefore be seen in this implementation stage. The relative effectiveness of policy networks in the implementation stage compared to hierarchies and markets outweighs any efficiency losses in the policy formulation stage'[311].

Börzel is realistic in her evaluation of the efficiency/inefficiency of the network approach and points out that '(i)t is fair to say that there are neither theoretical reasons nor is there empirical evidence to assume that networks perform better than governments or markets'[312]. In Börzel's opinion it would be preferable to explore the 'different governance mixes' as opposed to highlighting networks as the ideal governance form

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[307] Airakasinen *et al.* see note 300.

[308] Airakasinen *et al.*

[309] Kenis & Schneider see note 153 at 43.

[310] Kenis & Schneider 1991; Börzel 1998; Keast, R. & Mandell, M. 2009. *The impact of institutional, instrumental and interpersonal underpinnings on network dynamics and outcomes,* paper presented to 10th Public Management Research Conference.

[311] Kenis & Schneider see note 153.

[312] Börzel, T. 2011. 'Networks: reified metaphor or governance Panacea?' *Public Administration* (89) (1), page 56; Turrini *et al.* acknowledge that, '(w)hile considerable research has been carried out into public networks, both managers and scholars are left with some doubts about network effectiveness'. In their article they proceed to review and classify earlier literature on network effectiveness in order to 'shed some light on both hitherto unfilled gaps and established theoretical cornerstones'. In: Turrini, A., Cristofoli, D., Frosini, F. & Nasi, G. 2010. 'Networking Literature about Determinants of Network Effectiveness', *Public Administration* (88) (2), page 528–550.

and treating them as a 'governance panacea'[313]. She also highlights that, 'Rhodes' approach of differentiated polity as narratives provides a way of exploring and explaining the combinations of and the interactions between market, hierarchy and network, focusing on the narratives of contingent power relationships'[314].

Finally, Börzel acknowledges that in the context of public policy making the concept of policy network is not state-centric and 'based on a national or supranational authority for hierarchical policy making' and that, because of their decentralized approach to policy making, policy networks are able to conceptualise an emerging form of governance with/out government. She adds further that what makes policy networks special is they provide an arena for non-strategic, communicative action to overcome deadlock situations and problems of collective action. Yet having said this there are, in her opinion, two major challenges that a theoretically ambitious network approach would face. The first being that it 'remains to be shown that policy networks do not only *exist* in European and national policy-making but are also *relevant* for policy process and policy outcome by e.g. enhancing or reducing the efficiency and legitimacy of policy-making'. The second being that, once there is empirical evidence indicating that policy networks do make a difference, the ambiguity of policy networks needs to be considered, such as, specifying conditions where policy networks enhance the efficiency and legitimacy of policy-making and where the opposite effect is deployed[315].

Despite these and other limitations, the policy network literature has opened a door into a modern reality where further research and debate continues to emerge, providing an interesting foundation for the ongoing study of policy networks within specific areas of interest such as, network management and network analysis. As Bevir and Richards say, the research on the management of networks has been 'fuelled' by the rise of networks 'in an era of governance'[316]. This is the aspect that is now discussed.

2.6 Managing policy networks

During the late 1990s and early 2000s, studies being carried out on policy networks, shifted away from a focus on quantitative network analysis and examining views on

[313] Börzel see note 312 at 56.

[314] Börzel 2011; Bevir & Rhodes 2008.

[315] Börzel see note 312 at 58.

[316] Bevir & Richards see note 190 at 6. Rhodes said that the spread of policy networks and their impact on modern government intensified further research into 'how to manage a network'. See Rhodes note 160 at 432

governance, interorganisational networks and interest intermediation[317]. The next series of writings focused on the potential of actors to interact and influence policy outcomes; to improve coordination through policy networks and on the management of networks. Similarly, more than a decade ago, O'Toole acknowledged that the emergence of networks in public management 'was not a passing fad' and that there were certain implications to be considered both by practitioners and researchers[318]. In order to become more efficient and effective, governments were being called on to cooperate and work alongside other agencies, be they private, semi-governmental or non-governmental actors, in a variety of policy fields[319]. Scholars were concerned with the notion of 'joined up government' or looking at the 'whole of government'.

The focus of literature in this area is on policy networks and network management in Europe[320] and the USA[321]. The literature highlights two specific aspects of the network approach: 1) the process; and 2) the structure of a policy network, and how they are influenced by management efforts[322]. The network approach assumes that policy is made in complex interaction processes between a large number of actors and taking place within networks of interdependent actors. These actors are mutually dependent so policy can only be realised on the basis of cooperation and to ensure cooperation, actor interaction needs to be supported. O'Toole warns that this cooperation is complex in its own way; needing management skills and strategies[323] of a particular kind that are unlike the skills employed in hierarchical or traditional management processes. Many writers identify and describe the various strategies, the most predominant of which have been based on game management and institutional design. Nonetheless strategies and terms abound such as; game management (Klijn), game theory (O'Toole), process management (Klijn and Koppenjan) network constitution (Klijn), and/or framework setting (Koppenjan). The strategies selected, whether in public management or network management, depend on the conceptual basis from which the selection is made.

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[317] Besussi 2006; Börzel 1998.

[318] O'Toole see note 284 at 47.

[319] O'Toole mentions three examples where networks were utilized, with public administration, in the USA: 1) Governments often seek to execute efforts via structures of interagency collaboration; 2) the role of not-for-profit organisations is large and growing; 3) the frequency and variety of links with for-profit firms is impressive and government contracting remains a growth industry.

[320] Wilks & Wright 1987; Kickert, Klijn & Koppenjan 2000 and 1997.

[321] O'Toole 2001; Provan and Milward 1995; Salamon 2002.

[322] Börzel see note 147 at page 259-261. Kickert, Klijn & Koppenjan see note 151.

[323] In some literature the point made is management is envisioned as taking place at a meta-level. With an external manager, I argue much of the management process can be adapted to practical implementation at all levels – Sandström & Carlsson see note 240 at 497-524. In: Koppenjan, J. & Klijn, E. 2004. *Managing Uncertainties in Networks: A Network Approach to Problem Solving and Decision Making,* page 11, the point is made that strategies introduced to support actor interaction are referred to as network management.

In this context, network management is about the steering of complex games in the network, when necessary, primarily focusing on the improvement of cooperation[324] between the different actors involved[325]. Kickert *et al.* define network management as an interorganisational activity aimed at 'initiating and facilitating interaction processes between actors, creating and changing network arrangements for better coordination'[326]. Klijn and Koppenjan, say that network management is about mediating and coordinating interorganisational policy making and that the theory for this can be found in the policy network approach. They base their argument on the fact that, to them, governance is not about 'less government' or 'governance with/out Government'[327] but about 'self-organising networks', thus the network management approach is the most appropriate for what they require:

> 'The two conceptualizations of governance have totally different perspectives on public management and the role of government in society, and they draw their theoretical inspiration from very different sources. While 'new public management' represents an attempt to translate managerial ideas from the private sector to public organisations, such as contracting out, client orientation and the introduction of market mechanisms … 'network management' focuses more on mediating and coordinating interorganisational policy making. The theoretical basis for this alternative view is found in the network approach to policy'[328].

Kickert *et al.*[329] identify three approaches to network management of use in the public sector, instrumental, interactive and institutional. The instrumental approach supports the conventional view of a state's roles and powers in a democratic system where the state exercises legitimate authority to achieve its goals. The network helps facilitate this aim and 'little significance is attached to the goals of the non-state actors except to the extent that they are consistent with the state's'[330]. The problem with the instrumental view is the cost of the government's steering function, as Rhodes says, '(a) control command operating code, no matter how well disguised, runs the... risks of recalcitrance from key actors, loss of flexibility in dealing with localised problems and

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[324] An important aspect of encouraging cooperation is communication which influences the development of trust. Communication between actors increases their interaction and frequent interaction (if carried out appropriately) increases trust, which ultimately eases cooperation. This is often an overlooked mechanism for success because it may be, and often is, taken for granted.

[325] Klijn & Koppenjan see note 181; O'Toole see note 284.

[326] Kickert, Klijn & Koppenjan see note 151 at 10.

[327] Börzel see note 262.

[328] Klijn & Koppenjan see note 181 at 136.

[329] Kickert, Klijn & Koppenjan see note 151 at 181.

[330] Hazelhurst see note 156 at 9.

control deficits'[331].

The other two approaches focus on collective action and shift away from the primacy of 'pre-set state goals'[332]. Under the interactive approach government plays a central role in mediating and negotiating outcomes and therefore, as Rhodes points out, this approach 'stresses negotiation instead of hierarchy'[333]. Government is therefore involved in game management[334] and would need the communication and active listening skills of a successful negotiator or network manager[335]. According to Rhodes the key problem with this approach is the cost of cooperation because of the time it takes to network manage where, 'objectives can be blurred, and outcomes can be indefinite. Decision making is satisficing, not maximising'[336].

Finally, under the institutional approach government is less directly involved in the interactions between actors as this approach 'focuses on the institutional black-cloth, the rules and structures against which the interactions take place'[337]. Government is more concerned here with developing the right structures and rules to facilitate interaction rather than engaging in the actual interaction itself[338]. In this approach there appears to be one major 'even insurmountable problem: incentives, rules, and culture are notoriously resistant to change because networks privilege a few actors, who equate their sectional interest with the public interest'[339].

The literature shows that network management requires a totally different set of skills to those needed in hierarchical organisations. This is because the steering in networks takes place at many levels, with multiple actors and in complex interactions (a web of complexity)[340]. For policy making to be effective, in the modern world of multiple actors, cooperation across organisational boundaries is required[341]. Laws and Hajer say that such cooperation involves interaction among actors with vastly differing backgrounds

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[331] Rhodes see note 148 at 432.

[332] Hazelhurst see note 156 at 9.

[333] Rhodes see note 148 at 432.

[334] Hazelhurst see note 156 at 9.

[335] Klijn & Koppenjan say that in a network a manager is not a central actor or director, rather a mediator and stimulator (Forester 1989). The role is not necessarily intended for only one actor. Even though public actors often assume the role of network manager, other actors can do so as well.

[336] Rhodes see note 148 at 433.

[337] Rhodes.

[338] Kickert, Klijn and Koppenjan see note 151 at 184-85.

[339] Rhodes see note 148 at 433.

[340] Kenis & Schneider see note 153.

[341] Rhodes 1997; Laws & Hajer 2006.

and value preferences[342], '(t)his extends the challenge of cooperation to include questions about how a shared base for exchange can be created and maintained'[343].

This blending of actors, with multi-level interests, carries potential for failure because of the mixing of values, trust, power and experience. All these contribute to an increase in levels of uncertainty and the possibility for conflict and tension[344]. Finding agreement in such a setting could prove to be challenging, even impossible and certainly time consuming[345]. O'Toole points out that the central feature of a network structure is its complexity and uncertainty[346] and much of the recent literature of the early 2000s emerging from the Dutch school of thought has focused on these two themes.

2.6.1 Managing within a context of complexity and uncertainty

Of particular interest to this research study is the fact that policy networks are inevitably complex and introduce uncertainty at various levels during the policy making and implementation process. Within the complex mix of multiple actors with differing values, experiences, perceptions and loyalties, challenges can and will occur, these different challenges call for a changed approach when dealing with the making and implementation of policy within a network structure.

Authors such as O'Toole, Koppenjan and Klijn speak extensively about the complexity of policy networks and the unpredictability of modern policy making, particularly when confronted with problems such as poverty, inequality and HIV/AIDS. They point out that these complex and contested policy problems are often referred to as wicked, 'for good reason'[347]. Uncertainty can arise in a multi-actor context where complex arrangements have an inevitable impact on the functioning of a network. These various factors may be as a result of: network actors holding 'diverging perceptions' about the problem or process (cognitive causes)[348]; actor interaction being limited or problematic (social

[342] Laws & Hajer see note 272 at 414.

[343] Laws & Hajer at page 414.

[344] De Leon, P. & Varda, D. 2009. 'Toward a Theory of Collaborative Policy Networks: Identifying Structural Tendencies'. *Policy Studies Journal;* (37) (1), page 63. O'Toole says 'in attempting to implement innovations means dealing with heightened levels of uncertainty and incomplete institutionalization — thus risking significant diminishment of trust and (short-term) efficiency in the network array'.

[345] Badran, A. 2011. 'The Potential of the Network Approach for Analysing Regulations and Regulatory Processes: Empirical Examples from the Egyptian Telecommunication Sector'. *International Journal of Politics and Good Governance,* (2) (2.1).

[346] O'Toole see note 284.

[347] Van Beuren, E., Klijn, E. & Koppenjan, J. 2003. 'Dealing with Wicked Problems in Networks; Analysing an environmental debate from a Network Perspective'. *Journal of Public Administration Research and Theory, Vol 13 (2),* page 193.

[348] Van Beuren *et al.* see note 347 at 196.

causes)[349], and the institutions involved may be unsupportive where actors do not share a common language, rules, or norms and values (institutional causes)[350].

Van Beuren, Klijn and Koppenjan elaborate further on the uncertainties that one can encounter when operating within a policy network, identifying three types of uncertainty which are cognitive uncertainty, strategic uncertainty and institutional uncertainty[351]. The first type of uncertainty mentioned relates to uncertainty about content, this reflects a common concern that we often do not 'know enough about the causes and effects of problems' that confront our modern society[352].

The second and third types of uncertainty are uncertainties that occur when working within a multi-actor arrangement. As Rhodes said earlier, this is often within an institutional void where accountability is unclear and nothing can be certain. Strategic based uncertainties arise within a policy network because many actors hold differing perceptions and views. Institution-based uncertainties arise because decisions are made in different places by different organisations or bodies. Van Beuren *et al.* say, 'the institutional settings in which complex problems are dealt with are thus highly fragmented. Often, decisions are loosely coupled and sometimes not at all'[353].

In an effort to address these challenges, various authors have explored the challenges that such uncertainties bring to the networking arrangement and have introduced a number of solutions for managing the resulting complexity and uncertainty. Van Beuren *et al.* say that because of the complexity that arises, particularly when confronted with wicked problems, traditional approaches 'fall short'. In these situations, collaboration between actors is fundamental yet these interactions are not easy. They go on to say that 'network management is an important strategy for preventing impasses and stimulating breakthroughs in the decision-making processes resulting from social, cognitive, and institutional factors'[354].

2.6.2 Strategies for managing the complexity

It is assumed that, within a policy network, actors in the network are mutually dependent and without the other actors and their resources the network objectives will

[349] Van Beuren *et al.*
[350] Van Beuren *et al.*
[351] Van Beuren *et al.*
[352] Van Beuren *et al.* at page 193.
[353] Van Beuren *et al.* at page 194.
[354] Van Beuren *et al.* at page 197.

not be realised. It is this mutual resource dependency that links the actors both horizontally and vertically in a network[355]. Therefore, network management is about integrating the array, managing the mix, without formal advantage and sometimes in spite of the presence of hierarchical authority[356].

Klijn and Koppenjan describe, in some detail, interactions that need to take place within a network, pointing out that when interaction patterns emerge they need to be sustained, 'because of the limited substitutability of resources'[357]. In this setting, rules develop to regulate actor behaviour and, as with all relationships, these interactions shift, alter and settle, '(r)esource distribution and rules are gradually shaped in interactions but they are also solidified and altered'[358]. Thus rules play an important part in the development of a policy process and because they are shaped by actors in the network they differ from network to network[359]. This brings about strategic and dynamic actions within the network arrangement where these actions are often referred to as games[360].

O'Toole says that the perspective offered by the game theory could be most useful in a network setting[361]. Within the complexity of a network many actors are operating strategically with differing goals and perceptions. In this context, uncertainty and the possibility of opportunism can prevail[362]. To be capable of executing the planned programme within the context of uncertainty, where trust may be lacking, managers need to handle complex interaction settings, encouraging and adjusting preferences and strategies in order to play the implementation game[363]. The aim is to move actors into 'cooperatively and productively' stable network relationships in order to get the necessary results[364]. The real nub of the issue is for implementation managers[365] to 'develop the game and encourage its play' so that uncertainty is reduced. This will then offer a better prospect for policy cooperation and encourage innovation. He specifically

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[355] Sandström & Carlsson see note 240.

[356] Rhodes see note 148 at 439; Also O'Toole, L. 1997. 'Implementing Public Innovations in Network Settings', *Administration and Society,* Vol 29 (2), page 115-138.

[357] Klijn & Koppenjan see note 181 at 139.

[358] Klijn & Koppenjan see note 181.

[359] Klijn & Koppenjan at page 145.

[360] Klijn, E. & Teisman, G. 1997. 'Strategies and Games in Networks'. In: W. Kickert, H. Klijn & J. Koppenjan, *Managing Complex Networks: Strategies for the Public Sector,* page 98; Also O'Toole see note 284.

[361] O'Toole see note 284 at 49.

[362] Klijn & Teisman see note 360 at 104; Also O'Toole see note 284.

[363] Klijn & Teisman see note 360; Also Kickert, Klijn & Koppenjan see note 151 at 11; Also O'Toole see note 356.

[364] O'Toole see note 356.

[365] O'Toole refers to this as the 'manager's challenge'.

speaks of the game theoretical perspective but also emphasises the importance of clarity and trust.

According to O'Toole, public managers can make certain moves that will enhance the implementation of innovations (which he explains) in network settings by identifying a range of possibilities at four levels of action: Firstly, managers must play the implementation game, without altering the core variables identified by the game theory as important determinants; secondly, managerial efforts need to be made to encourage cooperation without material change to the rules or the set of actors involved in the network. This is about facilitating interdependent action, such as, managing the communication infrastructure, attending to information, leveraging action with sub-agreements; thirdly, managers must connect or disconnect from or to other related games in order to adjust the complexity of the situation. This involves using buffering or linking games even considering moves to reduce complexity; fourthly, and radically, managers may need to consider altering some basic features of the game. This involves altering the game, altering preferences, or shifting the network structure[366].

O'Toole goes on to mention that these strategies can consist of multiple options depending on key variables that are determined through game-theoric analysis[367]. O'Toole also describes in some detail the various strategies and processes that could be employed by a network manager in certain circumstances. The detail of such processes goes beyond the ambit of this chapter suffice to say that these skills can be put to good use when overseeing management taking place in practice. Other scholars writing about game management are Painter, Rouse and Isaac-Henry, Scharpf, Klijn and Koppenjan and Rhodes[368].

Klijn and Koppenjan mention that 'public processes can be seen as a collection of games between actors'[369]. In these games different actors hold differing perspectives about the nature of the problem, the solution and other network actors. These perceptions will influence the choices they make, which will impact on the strategies adopted and, thus, the outcome. Termeer and Koppenjan argue that an actor's perception of a situation can introduce blockages in policy processes, just as much as

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[366] O'Toole see note 356 at 127.

[367] O'Toole: These key variables can be: the players and their preferences, alternatives, the information they possess, the structure of interaction amongst the participants/actors. In 'Treating Networks Seriously', O'Toole recognizes the weaknesses of the game theory, as an approach, but points out that there are definite advantages because it puts 'the set of interdependencies in the foreground, not individual actors or organisations – the constellation of actors, preferences and structure matters.

[368] Painter, Rouse & Isaac-Henry 1997; Klijn & Koppenjan 2000; Rhodes 2006.

[369] Klijn & Koppenjan see note 181 at 139–140.

conflicts of interest and power relations[370]. They state that, '(i)n order to solve social problems in policy networks, joint action is needed'[371]. A prerequisite for this joint problem solving, or joint action, will be to ensure there is mutual adjustment of actor perceptions and this requires two types of strategy — strategies that aim at the social and at the cognitive dimensions of processes of interaction[372].

Agranoff and McGuire also mention actor perspectives, values and norms in their examination of literature on network management. They offer a 'suggestive grouping' of network management behaviours or tasks. These behaviours, or tasks, range from the activation of a network, framing a network context, to mobilising and synthesizing a network[373]. Relevant to this doctoral study, are certain tasks such as; the framing of networks, which can be applied both in network formation and as a management tool. The authors point out, that framing gives shape to purposes and influences the rules, values, norms and perceptions of actors in a network, where needed. Other tasks mentioned, which bear some significance to this study, are the need for mobilisation and synthesizing within a network. Mobilisation calls on the network manager to inspire or 'induce actors to make and keep a commitment to a joint undertaking'. Synthesizing requires the network manager to 'blend the various participants' in order to 'to fulfil the strategic purpose of the network', in spite of their differing views and perspectives[374].

In this same context, Klijn and Koppenjan refer to two further management strategies: 1) process management; and 2) network constitution. Process management is founded on the process model which, according to Klijn and Koppenjan comes from the interactive policy approach in policy science[375]. They argue that the policy network approach builds on the process model because it focuses on the interaction between interdependent actors and their complexity. Process management aims to improve interactions between actors in policy games, to do this steering strategies are needed to 'unite the various perceptions of actors'. The structure and composition of the network is taken as a given and the rules (formal and informal) and available resources are taken as the starting point. Strategies can then be employed to look at issues such as:

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[370] Termeer, C. & Koppenjan, J. 1997. 'Managing Perceptions in Networks'. In: W. Kickert, E. Klijn & J. Koppenjan. 1997. *Managing Complex Networks: Strategies for the Public Sector,* page 79.

[371] Termeer & Koppenjan see note 370 at 79-80.

[372] Termeer & Koppenjan at page 97.

[373] Agranoff, R. & McGuire, M. 2001. 'Big Questions in Public Network Management Research'. *Journal of Public Administration research and Theory,* (11) (3), page 296.

[374] Agranoff & McGuire see note 373.

[375] Klijn & Koppenjan see note 181 at 139.

1. Selection and activation (selective activation) of actors in the network, making sure that the correct actors are involved and motivated. This is an important part of network management when considering the mobilisation or activation of links in a network. Authors O'Toole and Agranoff speak of mobilising the network for 'joint problem solving'[376] which then leads on to the next point;
2. Working at improving the 'mutual perception' of these diverse actors about a problem or issue by 'creating a minimum convergence of perceptions' and also at 'creating packages of goals which are acceptable' to the actors involved. Agranoff speaks of 'joint efforts towards agreed upon issues'[377] and highlights the importance of cooperation and coordination in intergovernmental management[378];
3. Creating temporary organisational arrangements so that interactions between the actors can be maintained and strategies are coordinated; and
4. Finding means that assist with improving the interaction and the supervision of the network, using both process approach and conflict management[379].

Unlike process management, which focuses on improving the interaction of actors in the network, the network constitution focuses on realising changes in the network. The network constitution is based on the assumption that the institutional characteristics can also have an impact of the actors' cooperation and the strategies employed in the network so there may be a need to adjust some of these characteristics. Network constitution strategies focus on: 1) possibilities of changing the actors or even introducing new actors, this may affect existing power relations but it will introduce new perspectives; 2) changing the rules, both formal and informal, this can lead to different patterns of interactions or new frames; and 3) reframing[380], this is quite a radical approach yet may be necessary when needing to alter ideas about the functioning and substantive problems of the network. Klijn and Koppenjan say that this is mostly a strategy employed by central governments but it has also been used by actors within networks themselves[381].

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[376] O'Toole, 1988; Kickert, W. & Koppenjan, J. 1997. 'Public Management and Network Management: An Overview'. In: W. Kickert, H. Klijn & J. Koppenjan, *Managing Complex Networks: Strategies for the Public Sector,* page 35-60.

[377] Kickert & Koppenjan see note 376 at 45.

[378] Agranoff, R. 1986, *Intergovernmental Management. Human Services Problem-Solving in Six Metropolitan Areas,* page 288.

[379] Klijn & Koppenjan see note 181 at 139.

[380] A similar and as radical approach as set down earlier by O'Toole's game management approach.

[381] Klijn & Koppenjan see note 181.

2.6.3 The role of the network manager

The use or need for a variety of strategies or approaches indicates that managing a network requires a complex mix of skills, which holds particular significance in this current study. O'Toole speaks of the network manager acting as a 'facilitator' responsible for a number of activities, primarily procedural in nature[382]. To Klijn and Koppenjan a network manager needs to be a skilled mediator and motivator, with the role of network manager not necessarily being the role of one central actor. The network manager's role would typically be assumed by a public actor, but other actors can equally do so. The actor that has authority and opportunity to fill such a role will most certainly be influenced by their strategic position and the rules, including rules of behaviour, that are in use within the network structure[383].

Rhodes comments on the fact that when there is a new trend, such as the current debate on managing networks, there is always an upsurge of advice from academics and consultants. Out of this upsurge, a number of 'obvious' lessons can be identified which Rhodes refers to as the 'ten commandments of networking'[384]. Within Rhodes' list are a range of points such as: be representative of your agency and network, take a share of the administrative burden, accommodate and adjust while maintaining purpose, be as creative as possible, be patient and use interpersonal skills, and emphasise incentives[385].

Clearly, the effective management of networks is fundamental to the success of a network. Rhodes adds a further layer to this, pointing out that the future of network management lies in the adaptability of 'politicians, managers and citizens' in managing the modern network state. He warns that if we are faced with a world of 'polycentric networks of governance' the task will be to manage a situation where 'there are no generally accepted rules and norms for conducting policy making'[386].

In this context, Rhodes proceeds to highlight key points of concern confronting a manager coping with 'the institutional void'. These concerns range from issues around managing the mix of differing structures and relationships, to dealing with diffuse accountability, enhanced coordination and the need to consider new tools or

[382] Kicket & Koppenjan see note 376 at 49.

[383] Klijn & Koppenjan see note 181.

[384] Rhodes see note 148 at 433.

[385] Rhodes.

[386] Rhodes at page 438.

approaches in network management[387]. When working within the mix, it is important to consider the varying criteria of effectiveness for each structure[388]. The competiveness of markets will clash with the call for cooperation in a network. Here, according to Rhodes, market relations will have a corrosive effect on 'professional networks which depend on cooperation, reciprocity and interdependence'[389]. Without a doubt, these interferences will impact negatively on the network and yet, he says, despite all of these interferences these networks must be managed and there is no quick fix.

With respect to the diffuse accountability of the network structure, because this is not the traditional structure falling under central control, a network manager will be confronted with multiple accountancies where '(t)he conventional does not fit!'[390] The network manager is faced with dealing with the many hands in a network, where responsibility is shared and establishing who is responsible gets lost 'in the mix'[391]. Rhodes points out that there is no system, 'just disparate, overlapping demands'[392]. In a network constituent organisations may hold the relevant officials and politicians to account but the question remains, 'to who are the set of organisations accountable?' One suggestion made is that the various organisational interests may be able to act as checks and balances on each other[393]. Obviously, in a network structure with an array of stakeholders, a variety of resources and dispersed accountability, coordination shifts from the hierarchical to the horizontal thus calling for enhanced coordination.

To adapt to the impact of changing influences and network problems when 'managing the institutional void', there is a need to devise new tools[394]. The mainstream literature advocates for adopting a tool view on managing networks'[395]. Yet it has been argued that an interpretative approach could replace the toolbox with storytelling. As Rhodes says, '(t)here is now a growing literature on storytelling as a way of managing the public sector'. He concludes by saying, 'management is just as much about interpretation as rational calculation'[396].

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[387] Rhodes see note 148 at 440-441.

[388] Rhodes at page 439.

[389] Rhodes.

[390] Rhodes.

[391] Rhodes.

[392] Rhodes.

[393] Rhodes.

[394] Rhodes.

[395] Rhodes.

[396] Rhodes see note 148 at 441.

2.7 Policy networks: Government or governance?

> 'The production of public policies, the discussion and political processing of a social problem is then no longer the exclusive matter of an integrated government and administration. This instead takes place in networks that incorporate both public as well as private organisations. Such relationships can be observed in politics on several different levels from local private-public partnerships, to national policy domains onto transnational organisations, in which governments and non-governmental organisations co-operate in the attempt to solve global problems'[397].

The traditional picture, of a centralised hierarchical authority involved in policy making, has evolved and adapted over time. Nowadays, agencies of the state are increasingly being called upon to cooperate with agents and organisations external to the state in order to accommodate collaborative activity[398]. This cooperation takes place across boundaries, calling for actors to interact in spite of their 'widely differing backgrounds and markedly distinct value preferences'[399]. The shift, from hierarchical to horizontal, has impacted on the view of how governments work. Scholars write about this being an era of the 'hollowed out state' where government is no longer supreme[400] and where governance exists with/out government[401]. In this 'centreless society[402]', characterised by multiple centres, it has been argued that government is merely 'an actor among actors'[403]. Not surprisingly this evokes much criticism causing scholars to question the impact of networks on democratic legitimacy or accountability[404]. Nonetheless, the question remains, 'do we truly live in a centreless society?'[405]

2.7.1 A horizontal shift

Much of the literature indicates that this is not the case and, in spite of a noticeable shift away from a traditional hierarchical approach[406], this is simply a shift, not a change in

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[397] Reinicke, W. 1999. 'The Other World Wide Web: Global Public Policy Networks'. *Foreign Affairs,* page 44-57.

[398] The adoption of citizen inclusion and public-private partnerships slipped into many governments' toolkits, including those of international agencies and Western donors in the third world (Burau and Kjær 2009).

[399] Laws & Hajer see note 272 at 414.

[400] Rhodes 1997; Provan & Milward 1995.

[401] Börzel see note 262.

[402] Rhodes see note 148.

[403] Klijn & Koppenjan see note 181 at 152.

[404] Börzel 2010 and 2011; Rhodes 1997.

[405] Hazelhurst see note 156.

[406] Putland, D. & Ryan, N. 2010. *Policy Specialist Networks: A Missing Implementation Actor.* Conference paper, New Researchers Panel. Southern Cross University.

the business of state[407]. Certain authors were quick to point out that agencies of state are not set apart from networks but are 'essential parts of them' and that in a network 'government is not just another organisation'[408]. In truth governments have unique resources at their disposal and work to achieve unique goals[409] and these are not about to be supplanted by networks.

The term network refers to several interdependent actors who are involved in delivering services and these networks are made up of organisations which need to exchange resources in order to achieve their objectives[410]. Therefore a policy network can be said to constitute 'a self-organising group that coordinates a growing number of public (decision makers) and private (interest groups) actors for the purpose of formulating and implementing public policies'[411]. In this context the literature speaks of networks as, 'multi-organisational arrangements for solving problems that cannot be achieved or achieved easily, by single organisations'[412].

The value of a networking arrangement, for state and also non-state actors, becomes apparent when there is a need to solve complex social problems through the combined knowledge, resources and expertise of a variety of diverse actors. Here the voices of many can be integrated into providing solutions for tackling complex and intractable social problems or 'wicked problems'[413]. In a policy network a problem is shared through the exchange of information, debate, disagreement, persuasion and a search for solutions and appropriate policy responses[414]. Therefore an important promise of a network is through the non-hierarchical structure and their ability to involve non-state actors' networks thus offering an opportunity to bridge the participation gap[415].

2.7.2 Network emergence and network actors

Of particular interest to a study on policy networks is establishing why certain types of

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[407] Bevir & Richards see note 190 at 12. The notion of a monolithic state in control of itself and civil society is a myth. Policy always arises from interactions in networks.

[408] Sharpe, L. 1986. 'Intergovernmental Policy-Making: The Limits of Subnational Autonomy'. In: G. Kaufman, & V. Ostrom (Eds.), *Guidance, Control, and Evaluation in the Public Sector,* page 177.

[409] Klijn & Koppenjan see note 181 at 15; McGuire, M. & Agranoff, R. 2007. *Answering the Big Questions, Asking the Bigger Questions: Expanding the Public Network Management Empirical Research Agenda* Prepared for presentation at the 9th Public Management Research Conference, Tucson, Arizona, page 21.

[410] Rhodes see note 148.

[411] Head, B. 2008. 'Three Lenses of Evidence-Based Policy'. *The Australian Journal of Public Administration*, (67) (1), page 1–11.

[412] Agranoff & McGuire see note 373.

[413] O'Toole see note 284 at 45.

[414] Stone, D. 2001. 'Learning Lessons, Policy Transfer and the International Diffusion of Policy Ideas', *CSGR Working Paper,* No 69/01, page 14-41. wrap.warwick.ac.uk/2056/1/WRAP_**Stone**_wp6901.pdf

[415] Streck, C. 2002. 'Global Public Policy Networks as Coalitions for Change'. In: D. Esty & M. Ivanova, *Global Environment Governance, Options and Opportunities,* page 4-5.

policy networks emerge and who elects or is elected to participate in a policy network? In terms of current literature[416] there appears to be a limited number of studies on establishing network origins, their evolving status and the death of a policy network[417]. Therefore, in this context, and of some relevance to the doctoral study, is the reasoning behind why certain networks emerge and who is involved in these networks.

2.7.2.1 Origins of networks

The literature states that the origin of a network can either be mandated (formal) or emergent (informal). Agranoff[418] says that a policy network evolves usually out of a perceived need, although, obviously, this is not the only reason for network formation. Other reasons why a network emerges are: where a network is created out of nothing — by one or more organisations — in order to carry out a specific project or programme in response to an identified need; where there has been failure, by government or the non-profit sector, to deliver goods or services; where the network grows over a period of time or is created in response to a specific event — like a disaster.

The relevance to this study, particularly within the context of poverty and inequality, is the fact that often policy networks emerge in response to an identified need or in order to deal with complex problems confronting a community. Klijn *et al.*[419] mention that, for the acceptance or the acknowledgement of policy networks, there needs to be a level of interaction amongst a number of diverse actors in the making of policy, a few of which may be government bodies[420]. They also mention that 'when a (governmental) actor tries to govern policy processes, he or she has to take the characteristics of this network into account'[421]. The characteristics identified by Klijn *et al.* are that 'first and foremost, policy networks are characterised by *the actors* who are part of it and *their relations* with each other. An important precondition for these relations between actors to arise and to continue to exist is dependence'[422]. It is because of the interdependency between actors that that networks develop and continue to exist.

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[416] McGuire & Agranoff see note 409.

[417] McGuire & Agranoff.

[418] McGuire & Agranoff.

[419] Klijn, E., Koppenjan, J. & Termeer, C. 1995. 'Managing Networks in the Public Sector: A Theoretical Study of Management Strategies in Policy Networks'. *Public Administration* (73) Autumn, page 437-454

[420] Klijn, Koppenjan & Termeer see note 419.

[421] Klijn. Koppenjan & Termeer.

[422] Klijn. Koppenjan & Termeer see note 419.

Coming out of the various definitions in the literature Badran [423] identifies three main features of a policy network: 1) dependency as a precondition for networks; 2) variety of actors and goals; and 3) relation patterns between network actors. He goes on to say that these policy networks are made up of a variety of actors with their own resources, goals and strategies and that '(n)o single actor can unilaterally dominate and predetermine strategic actions of the other network members'. Although the literature may highlight other features as important components in a policy network, the common denominator is the interdependency of these actors to each other. It can therefore be reasoned that in a network actors matter. Who then are the actors in a policy network?

2.7.2.2 Network actors: Roles and responsibilities

Boudourides says that typical actors, in a policy network, might either be public (the state), private (market) or mixed and the actors can be linked through both formal and informal organisations[424]. This group of public or private actors can be further disaggregated into political and bureaucratic state actors or non-state actors such as, business representatives, international agencies or organisations such as non-government or non-profit organisations (NPO's) or community based organisations (CBOs). In much of the traditional policy network literature, actors are specifically spoken about as organisations — a false compromise at times. Mikko[425] mentions that network actors can be divided into two groups, those who are political decision makers and those who are actors trying to influence decisions — these groups, may often see themselves as outsiders or insiders, to a policy network.

Streck[426] says that networks can be created between governmental agencies, and between governments and private actors, and all these networks fill different niches and fulfil different functions. She also states that, with respect to global governance, the 'growing importance of non-state actors, such as civil society NGO's interest groups, academia and the private sector (in particular multinational corporations and the global capital market) has transformed the system of global governance'[427]. Reinike[428]

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[423] Badran, A. 2011. 'The Potential of the Network Approach for Analysing Regulations and Regulatory Processes: Empirical Examples from the Egyptian Telecommunication Sector'. *International Journal of Politics and Good Governance, Volume 2, No. 2.1* Quarter I.

[424] Boudourides, M. 2004. 'A Review of Networking Theories on the Formation of Public Opinion'. *The Electronic Journal of Communication.* (14)(3) & (4).

[425] Mikko, M. 1999. 'The Structure of Policy Networks An analysis of political decision making network in Finland', *Department Of Political Science, University Of Helsinki,* page 2.

[426] Streck see note 415.

[427] Streck see note 415 at 6.

[428] Reinicke *et al.*see note 397.

elaborates on this and says:

> 'A typical network (if there is such a thing) combines the voluntary energy and legitimacy of the civil-society sector with the financial muscle and interest of businesses and the enforcement and rule-making power and coordination and capacity-building skills of states and international organisations. Networks create bridges that enable these various participants to exploit the synergies between these resources. They allow for the pooling of know-how and the exchange of experience. Spanning socioeconomic, political, and cultural gaps, networks manage relationships that might otherwise degenerate into counterproductive confrontation'[429].

Having a diverse array of network actors brings both the resource-based power of the organisation they represent and their own passion or 'willingness to make the network succeed in solving difficult problems'[430]. The flexibility of such a structure is crucial for the success of a collaborative, interactive relationship where various actors, from a variety of sectors and interests with mutual dependencies are able to interrelate[431].

In such a structure a number of different and important functions take place as a result of which operational and institutional gaps may be bridged. These various important functions range from: the facilitation of international processes, setting of global standards, the structuring of politically contentious multi-stakeholder relationships, the dissemination of knowledge and addressing participatory shortcomings[432]. Having said this, the literature is not without its precautionary warning that policy networks are hard work and, as Rhodes has pointed out, requiring management within an institutional void[433]. Nonetheless networks exist and have an impact upon policy making. At a minimum, governments need to develop the capacity to cope with networks effectively. Ideally, government ought to be able to turn networks to their advantage[434].

2.7.3 Role of public actors in a network: Central or collaborative?

> 'The general milieu in which government policies and programs operate is of course the public sphere — of public debate, public opinion, civic awareness and popular culture. This milieu both informs and responds to public policy, and colours the ways in which

[429] Reinicke *et al*. see note 397.

[430] McGuire & Agranoff see note 409.

[431] Kickert *et al.*see note 151 at 9; Koppenjan & Klijn, 2004.

[432] McGuire & Agranoff see note 409 at 237.

[433] Rhodes see note 148.

[434] Hazelhurst see note 156.

positions are argued and knowledge-claims are advanced'[435].

Streck points out that even though 'sovereign states are entrusted with military and police power, they collect taxes, ensure that democracy and fundamental rights are protected and build social safety nets'[436], yet in these modern times certain state responsibilities have become more difficult to deliver alone. Governments today are finding themselves becoming increasingly reliant on collaborative relationships, in the form of partnerships, consultancies or through networks. The challenge confronting these collaborative partnerships is to determine the nature of the relationship that exists between the various actors, particularly where one of the actors may be the state. The question here is whether the relationship that exists is one of power, or is it a relationship of bargaining and control, or one of negotiation and shared responsibilities?

2.7.3.1 Actor interaction

Theoretically, in a network the actors are viewed as mutually interdependent, working together to achieve their common interests. According to the literature these mutually interdependent relationships are built on trust, unlike traditional hierarchical relationships which are based on hierarchical command and power. Yet, in reality where state is an actor in a policy network, its role as actor remains unique for many obvious reasons. The main principle here is that state actors carry both state resources and legitimacy at their disposal — sizable budget, personnel, powers and democratic legitimation. Government bring to a policy network the legitimacy and representative accountability that cannot be ignored in policy network terms and it is only government that is able to 'pull together the various strands'[437].

In this circumstance civil society networks will find that agencies of state power are important components of the network where the state is not like other associations. The state frames civil society and occupies space within it, fixing the boundary conditions and also the rules of association and activity[438]. Having said this one cannot ignore the fact that governments are also limited in their power, because they are government and are therefore answerable to norms and rules and accountable at both a national and

[435] Head see note 411.

[436] Streck see note 415.

[437] Hirst, P. 2000. 'Governance and Democracy'. In: J. Pierre (Ed.), *Debating Governance* , page 13-35.

[438] Chandhoke, N. 2004. 'The Civil and Political in Civil Society: the Case of India'. In: P. Burnell, & P. Calvert. Civ*il Society in Democratization,* page 152; Waltzer, M. 1998. 'The Concept of Civil Society'. In: M. Waltzer (ed) *Towards a Global Civil Society,* page 7 & 16.

international level. The governments' actions must be democratic and legitimate, and society must willingly accept their practice[439]. Thus, in this context, government need the services and input of a number of diverse groupings[440]:

> 'This is not to suggest that governments are never dependent on interest group support or indeed forced to integrate interests different to their own. Government may regard the political costs of enforcing its will as too great. What is at stake on particular issue may be far important to the affected interests and often the resources they can put into debate (specialist personnel, research) will be greater than government can afford. ... Much depends on political context, broad and narrow'[441].

2.7.3.2 Policy making and policy networks: Integrating the array

Ultimately the task of policy making falls into the hands of government[442]. When looking at government's role in relation to policy making — where non-state actors are involved — much of the literature examines the different stages of policy making, specifically focusing on the stage where a policy network may become involved in the process. Within the literature a variety of policy making frameworks are illustrated, the most common of which, in the context of policy networks, appears to be the linear model of policy making, or rational actor approach.

In terms of the linear model[443] policy makers are assumed to approach issues rationally, going through each logical phase and carefully considering all important information, from agenda setting, to policy formulation and finally through to implementation. Hazelhurst also points out that when policy is made it is often presumed to proceed in stages. He argues that there is a lot to be said for this kind of approach because, '(i)t has a logical problem-solving thread to it — defining the issue, drawing together and synthesizing information, and weighing up options. It brings a degree of structure and certainty to policy making'[444]. Yet, realistically speaking, 'the policy making process is by no means the rational activity that it is often held up to be in the literature'[445]. As Stewart mentions, 'policy practitioners work in a complex, dynamic

[439] Klijn see note 182.

[440] Hazelhurst see note 156 at 7.

[441] Hazelhurst.

[442] Laws & Hajer see note 272.

[443] Laws & Hajer.

[444] Hazelhurst see note 156.

[445] Sutton, R. 1999. 'The Policy Process: An Overview', *Overseas Development Institute,* page 32.

process where there are few predictable steps and many surprises'[446]. In fact 'actual policy processes are messy and repetitive[447].

To make sense of the complex and messy policy making process and break the process down into an understandable 'series of events', Tantivess and Walt integrated the policy network concept with the policy stages framework[448]. By breaking down and examining each stage of the policy process against the policy network approach they identify the opportunities when, during the policy process, policy networks can be most useful or relevant. Commencing with the rise of a new policy problem on the government agenda and moving on toward policy formulation stage they point out that at this stage policy options are explored, assessed and then accepted or rejected by policy makers and appointed task groups. They also mention that the policy formulation process is complex, iterative and long lasting[449] and that this calls for some tenacity. It is also at this stage, they say, that networks of academics — in the form of epistemic communities may come in and play significant roles.

A question, raised in this study, asks whether policy making in networks takes place at the formative stages of a policy, as suggested by Rhodes, or during implementation. What is apparent is that the central control model of policy making has become 'increasingly implausible'[450] as the complexity of the problems confronting policy makers has increased. Lipsky's study on the discretionary power of street level bureaucrats argued for recognition of a more bottom-up approach to policy making. To Lipsky public employees, such as social workers or nurses, are both policy maker and policy implementer because not all complex service needs lend themselves to precise detailed instructions when formulated[451]. As a result street level bureaucrats may be given the discretion to respond to 'unique individual circumstances'[452].

Stewart also raises the point that it is a fiction to believe that public servants only carry out administration[453]. So, while decision making for major policy decisions may rest with

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[446] Stewart. R. 1999. *Public Policy: Strategy and Accountability,* page 5.

[447] Tantivess, S. & Walt, G. 2008. 'The role of state and non-state actors in the policy process: the contribution of policy networks to the scale-up of antiretroviral therapy in Thailand'. *Health Policy and Planning* (23), page 328–338.

[448] Tantivess & Walt see note 447 at 330.

[449] A reality that became very apparent in the child advocacy fields when it took a decade for the new child legislation to come into being.

[450] Goodin, R., Rein, M. & Moran, M. 2006. 'The Public and its Policies'. In: M. Moran, M. Rein & R. Goodin (eds.), *The Oxford Handbook of Public Policy*, page 14.

[451] Lipsky, M. 1980. *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services,* page xi-xii.

[452] Lipsky see note 451 at pages xi-xii.

[453] Stewart see note 446.

the Minister, cabinet or parliament, the analysis of options, recommendations for decisions, are generally provided by the public service. Goodin *et al.* state that, '[i]t can never be taken for granted that policies will be implemented on the ground as intended: usually they will not'[454]. In fact, as Considine[455] noted, policies are made by both politicians and public service. Considine further proposed two views of public policy: 1) a standard view; and 2) an alternative one.

Considine, Lipsky, Howlett and Ramesh[456] all agree that policies are made by politicians and public servants. Therefore it is unlikely, if not impossible, that public policy of any significance could result from the choice process of any single unified actor. Policy formulation and policy implementation are inevitably the result of interactions among a plurality of separate actors with separate interests, goals and strategies[457]. In reality and increasingly so in the modern environment of policy making, Marsh's point, that the policy networks that shape policy are not necessarily the same as those that put policies into practice, stands true[458].

Nonetheless when government is confronted with a network-like circumstance, Klijn and Koppenjan say that it is faced with four possible choices: 1) not to join in the network games; 2) to co-operate with other public, semi-public and private actors; 3) to take up the role of project leader/process manager; or 4) to act in the role of network builder. Each choice carries with it certain risks[459]. With respect to the first choice, if government decides to opt out of the network games this means that they will try to 'unilaterally impose their ideas and goals on other social actors'. In this scenario the risks will be high because government needs to ask itself a number of questions such as; whether there will be 'sufficient and stable political support for such a strategy?', or will the approach adopted will be an effective and efficient approach to achieve one's goals? [460]

Under the second point: cooperating with other stakeholders, the fact that there is dialogue between government and civil society is both legitimizing and a standard operating procedure[461]. Klijn and Koppenjan are interested in the type of co-operation

[454] Stewart see note 446.

[455] Considine, M. 2002 'Joined at the lip? What does network research tell us about governance?' *Knowledge Networks and Joined-up Governance*. Conference Proceedings University of Melbourne, Centre for Public Policy.

[456] Considine 2002; Lipsky 1980; Howlett & Ramesh 2003.

[457] Hazelhurst see note 156.

[458] Marsh D. 1998. *Comparing policy networks*.

[459] Klijn & Koppenjan see note 181 at 153.

[460] Klijn & Koppenjan.

[461] Klijn & Koppenjan.

that takes place asking whether such co-operation is 'acceptable or manageable?' They state that, 'hierarchical supervisory relations between public actors may limit the possibilities of horizontal co-operation'[462]. In the case of the third choice, government acting in the role of process manager, here government will be facilitating the interaction processes so that problems can be addressed or projects carried out. Because government has a role to protect the public interest, to 'safeguard democratic values and be publicly accountable'[463] it is therefore well-placed to act in this role however, there may be some conflict of interest in such a role. Klijn and Koppenjan point out that it could be difficult for a government body to protect certain interests whilst also needing to act as 'a non-partisan process manager'[464].

Fourthly, if government were to take up the role of network builder they may be confronted with similar issues as raised in three above. Again government is well-placed to take on the role, given the fact that they have both the resources and the duty to serve the common interests of its citizenry. Nonetheless in a network there are certain demands that call for a skilled negotiator, without these necessary skills, mismanagement and conflict could arise which would ultimately impact on the efficiency of the network. It is stated that:

> 'A serious danger in operating within games for governments is that these four roles get confused. This may occur for strategic reasons, or if government is inexperienced with a new role and, in the middle of a difficult situation, reverts to old routines. … Also, network constitution and process management are not necessarily compatible. Clearly confusion of roles can lead to misunderstandings and conflict among actors and can prove to be costly in terms of effectiveness and efficiency, but especially with regard to the reliability and legitimacy of government'[465].

However government chose to operate, either accepting the involvement of networks in policy making or electing to solve complex issues through other forms of cooperation, it cannot be ignored that over time other societal actors have, in some way or other, become increasingly involved in assisting with the delivery of services that go beyond the resources and capabilities of government. Nonetheless, the literature highlights the reality that not all analysts would agree that actors outside of government are an

[462] Klijn & Koppenjan see note 181.

[463] Klijn & Koppenjan.

[464] Klijn & Koppenjan.

[465] Klijn & Koppenjan.

integral part of a policy network[466] and many may choose, like Rhodes, to focus more on connections between state actors when analysing the policy implementation stage.

Certain policy community/network analysts argue that networks are so ubiquitous as to constitute the dominant pattern of governance in certain polities like the European Union[467], whilst others see the involvement of policy networks at all stages of the policy making process and with many stakeholders from both within and outside of government[468]. Authors, such as Hazelhurst[469], make the point that in certain countries, 'orthodox policy making tends to treat stakeholder engagement as an add-on rather than an integrated part of the process' and as Rhodes says regarding the role of governments in policy networks:

> 'A key challenge for government is to enable these networks and to seek out new forms of cooperation ... the challenge ... is to recognize the constraints on central actions imposed by the shift to self-organizing; and to search for new tools for managing such networks'[470].

What is apparent is that decision makers are looking for new ways to solve problems that are of such a complexity and magnitude they call for a more integrated and holistic approach. In South Africa such issues of complexity often focus on the delivery of social justice for all South Africans, calling for strategies where collaboration with a vast body of stake-holders is appropriately and coherently implemented. The problem remains that, even when collaborative arrangements are recognized and used, there is an expectation that outcomes and processes remain consistent with the traditional, comfortable forms of working[471]. Keast *et al.* warn that, 'unless policy makers have a full understanding of what it means to work through network structures they will continue to develop traditional policies and management techniques that mitigate against the positive attributes of networked arrangements'[472].

2.8 Conclusion

As highlighted, at the commencement of this chapter, the literature is divided in the

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[466] Rhodes see note 148.

[467] Peterson see note 172.

[468] Skökstad see note 203; See Parag, Y. 2006. The System Perspective for Policy Analysis and Understanding: The Policy Process networks. *The Systemist* 28(2), page 212-224.

[469] Hazelhurst see note 156

[470] Rhodes 1996 at page 666.

[471] Keast, RL, Mandell, M, Brown, KA & Woolcock, G. 2004. 'Network structures: working differently and changing expectations', *Public Administration Review*, vol. 64, no. 3, page 364.

[472] Keast & Mandell see note 471.

debate relating to the existence of an explicit theory on policy networks that can lead to predictive claims on how particular network conditions result in particular kinds of policy making and implementation. Börzel argues that, '(t)o date, no theory has been put forward that would systematically link a particular type of policy network with the specific character and outcome of the policy process'[473]. This is because network analysis is no substitute for a theoretical explanation. The argument, regarding a lack of general theory, has made the policy network approach vulnerable to criticism from certain quarters. In this context, authors argue that policy network concepts serve as heuristic devices rather than as an explanatory framework[474]. Thus, there is a call for a conceptually and theoretically more rigorous approach to policy networks[475].

2.8.1 Theoretical influences

In response to this criticism, certain writers say that the time has come to move away from one dimensional theories because of the 'complexities of the policy process' where the 'notions of the state, pressure groups, state autonomy and policy networks are highly problematic'[476]. Authors, such as Kickert, Klijn, and Koppenjan[477], indicate their agreement with such a notion by arguing that policy networks are solidly rooted in policy science, political science and organisational science[478]. In this chapter, these varying paths or theoretical influences on the policy network approach are traced through the literature. The policy network concept is founded on these three theoretical traditions and has evolved with its own distinctive characteristics and theoretical framework. It is said that an important strength of the policy network approach is its multi-theoretic nature which can be used in conjunction with a range of theoretical frameworks. As a multi-theoretic concept 'it is able to provide theoretical insights and normative starting points for the analysis of complex policy environments'[479].

In terms of the theoretical framework of policy networks it is assumed that, within a network arrangement, 'policies are made in complex interaction processes between different actors'[480]. Network actors are mutually dependent so policy can only be

[473] Börzel see note 312.

[474] Dowding see note 175.

[475] Bressers, O'Toole, & Richardson, 1994; Dowding, 1995; Peters, 1998.

[476] Smith, M.1993. *Pressure Power and Policy: State Autonomy and Policy Networks in Britain and the United States,* page 234.

[477] Klijn & Koppenjan 1997; Badran 2011.

[478] Klijn see note 182 at 29.

[479] Badran see note 423 at 6.

[480] Badran see note 423 at 5.

realized on the basis of their cooperation[481]; in this setting, cooperation is neither spontaneous nor simple[482]. The interdependency of network actors is founded on factors such as resource distribution, actor perceptions of the distribution and the goals they pursue. Klijn *et al.* state that because 'these interactions are frequently repeated' a process of institutionalisation occurs. Actors interact with one another over time resulting in the sharing of perceptions and the development of patterns of participation and rules of interaction[483]. Due to repeated interactions the network culture and structural features developed influence future policy processes. This building and solidifying networks is referred to as network formation[484]. Thus the lens through which the two case studies were analysed is founded on this theoretical framework.

2.8.2 The literature on policy networks: Chapter overview

In examining the development of policy networks, through the literature, three clear divisions are identified. These divisions are outlined in Section 2.2.1, highlighting that, within the first divide one questions whether policy networks exist as a heuristic device, a model, theory or approach?. Within the second divide, policy network analysis is viewed as either qualitative or quantitative. Nonetheless it is the third divide that is viewed as the most significant divide in the literature. This third and final divide is the divide between scholars who see policy networks as a form of interest intermediation as opposed to those who view them as a new form of governance. In this chapter the roots of these schools of thought or approaches, are outlined revealing the three theoretical foundations, mentioned above, and indicated in the diagram below (Figure 2.1).

In sections 2.2 and 2.3 a study of the relevant literature reveals the earlier influences or roots of the interest intermediation model of policy networks. Emerging from the field of political science, the literature on subsystems (USA) and policy communities (UK) developed during the 1950s and 1960s[485]. Based on these early influences, British scholars saw policy networks from the perspective of the interest intermediation model. Throughout this section, the writings of British scholars such as Rhodes, Marsh, Jordan, Richards and Bevir are discussed. The wide variety of typologies discussed in the literature reveals that classifying and identifying key characteristics of policy networks

[481] Klijn & Koppenjan see note 181 at 139.

[482] Badran see note 423 at 5; Klijn & Koppenjan see note 181.

[483] Kickert, Klijn & Koppenjan see note 151 at 6.

[484] Koppenjan, J. & Klijn, E. 2004. *Managing Uncertainties in Networks,* page 10-11.

[485] See page 8-9 of Chapter two. Also Klijn see note 182 at 14.

are of value when seeking to establish a link between policy networks and policy outcomes. In this context it is also important to consider the relevance provided by policy networks for both the policy process and policy outcome[486].

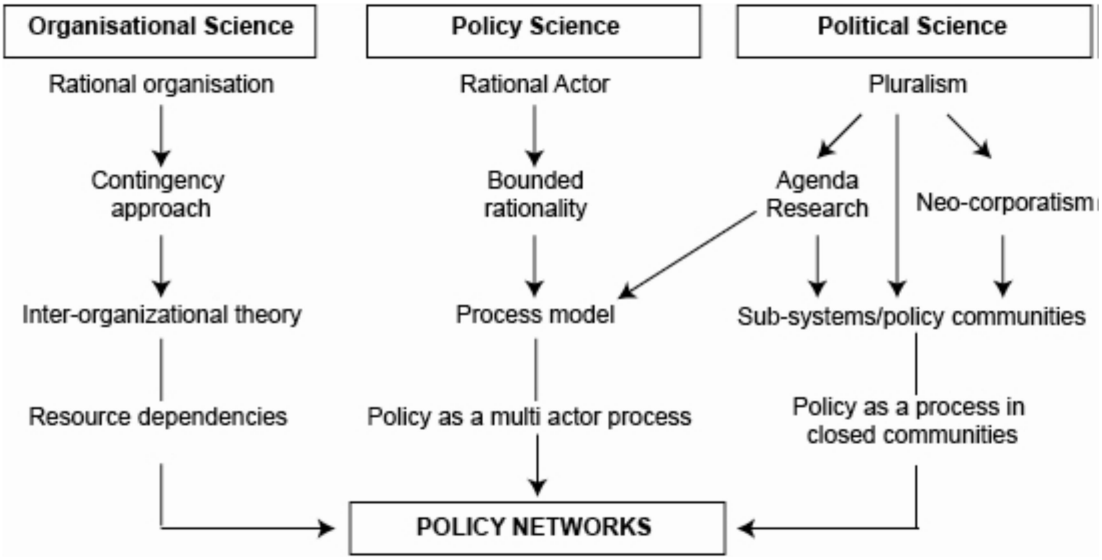

Figure 2.1: Three distinct theoretical foundations that are the basis of the governance and interest intermediation policy networks
Source: Klijn 1997 at page 29.

Unlike the primarily political science influence of the interest intermediation school, the influence of organisational science and policy science on the governance approach and on network management is an important part of the literature coming out of continental Europe. Sections 2.4 and 2.5, examine the writings on governance and governance challenges that have emerged primarily from the German and Dutch schools of thought.

The literature explored in this section introduces authors, such as Börzel, Kenis and Schneider who write from the German school perspective. Kenis and Schneider see policy networks as a new form of governance reflecting a changed relationship between state and society, an alternative to hierarchies and markets. Börzel says that 'policy networks offer a solution to problems of collective action' yet this cannot take place if actors' preferences and interests are not included as potential variables in the mix.

Building on this, section 2.6 highlights the value of managing networks effectively, identifying strategies that can be used in order to coordinate actor interaction within a multi-actor arrangement. Much, but not all, of the literature on network management is a focus of the Dutch school, with contributions from writers such as Kickert, Klijn, Koppenjan and Termeer. Kickert, Klijn and Koppenjan view the management of policy

[486] Börzel see note 147.

networks as a form of coordination or facilitation of 'strategies of actors with different goals with regard to a certain problem or policy measure within an existing framework of interorganisational relations'[487]. The latter part of this section explores the various strategies used to manage the inherent complexity of policy networks.

In policy networks the call to coordinate a diverse mix of actors, introduces potential for uncertainty because of different values, perceptions, attitudes, expectations and influences of the formal organisational context. Rhodes indicates that this is tantamount to managing an institutional void where one should expect the unexpected[488]. Section 2.7 examines the role of state and non-state actors, specifically focussing on government as an actor in a network and questioning whether this is the time of the centreless state.

The section highlights the unique position of a state actor within a network, where government holds the power to pull together the various network strands and brings legitimacy and representative accountability into a network mix. It is said that government, when faced with a network-like situation, has a choice whether to participate and cooperate or to not participate. The primary point being made in this chapter is that now is the time to find new ways to solve complex problems and 'unless policy makers have a full understanding of what it means to work through network structures they will continue to develop traditional policies and management techniques that mitigate against the positive attributes of networked arrangements'[489].

The multi-theoretic nature of the policy network approach lends itself to an analysis of complex networking environments such as those found in the two case studies. The thesis draws on the theory to gain insights and provide normative starting points in order to understand the complex network arena within which policy, in the field of child rights, is formulated, adopted and implemented. The two case studies provide compelling proof that the increasing use by the state, of multi-actor, horizontal relations to solve complex social problems calls for strategic and institutional change without which the positive effects of networked arrangements could be lost.

[487] Kickert, Klijn, & Koppenjan see note 151 at 167.

[488] Rhodes see note 148 at 438.

[489] Keast & Mandell see note 471.

Chapter 3 : Research Methodology

3.1 Introduction

The second chapter introduced the policy network approach, exploring the notion that the modern world of policy making and implementation often calls for a shift from the previous hierarchical approach to one that is more inclusive and horizontal — particularly with respect to problems that are complex and are often seen as 'wicked problems'. Chapter Two also examined the idea that networks are a policy analysis tool best suited for the 'complexity of the (modern) world' and that `network analysis includes the broad array of methodological tools for the analysis of relational configurations and structures'[490]. Kenis and Schneider elaborate on the point that the policy network approach is a tool for analysis and also highlight that a network notion conveys two different meanings and may therefore call for two different research methodologies. They say that on the one hand, the network notion can refer to 'complex interdependencies in substantive terms'[491] where the content of the interaction between policy actors is the primary focus, thus calling for more qualitative methodologies. On the other hand the network notion can also be seen as a formal concept of networks, primarily used in quantitative structural analysis and related to 'the pattern of interrelationships taking place amongst people, organisations, events or other attributes'[492]. In this formal perspective a network does not imply a specific structural configuration but refers to the set of links between different points that represents a network, creating a pattern of interconnections.

This research study examines both the interconnection between actors and the content of the interactions. The methodology is described in this chapter.

3.2 Research design

Prior to introducing the various methodological approaches used, and the data collection instruments selected, this chapter presents the details of the study, firstly setting out, in broad terms, the research outline. The methodological approaches are then identified and described and the two case study projects, forming the basis of this

[490] Kenis, P & Schneider, V. 1991. 'Policy Networks and Policy Analysis: Scrutinising a new analytical toolbox'. In: B. Marin & R. Mayntz (eds.), *Policy Networks: Empirical Evidence and Theoretical Considerations,* 25–62, page 44.

[491] Kenis & Schneider see note 490.

[492] Kenis & Schneider.

research — the succession planning and children's act projects — are introduced. The next section starts with an overview of the research, highlighting the different implementation phases. Set down below is a table displaying the research design, methodologies and instruments used (Table 3.1).

Table 3.1: Outline of the research design: The succession planning and children's act projects

Case Study	Data Collection Methods	Phase 1: Planning	Phase 2: Research, Design & Development	Phase 3: Pilot	Phase 4: Implementation Roll-out 1 (2009/10) and 2 (2011)	
SUCCESSION PLANNING PROJECT	*Email correspondence, reports, minutes*	XX	0	XX	XX	0
	Interviews – one on one, open-ended	X	XX	X	X	X
	Observation	X	0	XX	X	X
	Focus groups & workshops	0	XX	X	0	X
	Documentation – policy and law	0	X	0	0	0
	Participant surveys	0	0	X	XX	XX
CHILDREN'S ACT PROJECT	*Documentation – email, minutes, memos*	XX	XX	XX	XX	0
	Interviews – one on one, open-ended	X	0	XX	0	X
	Observation	X	0	X	X	0
	Focus groups and workshops	0	0	XX	X	0
	Research Journal	X	X	X	X	0
	Documentation review – policy and law	0	XX	0	0	0
	Participant surveys	0	0	X	X	0

Key:

Qualitative		Quantitative	
Not used	0	Not used	0
Secondary data	X		X
Primary data material	XX		XX

Five identifiable phases were used in the planning and implementation of both case studies:

Phase 1 – Planning;

Phase 2 – Research, design and development;

Phase 3 – Pilot of training workshop and evaluation;

Phase 4 – Training roll-out over two separate periods and final report;

Phase 5 – Confirmatory workshops.

Because it was the researcher's intention to make both case studies directly comparable, each phase, in each case study, followed relatively similar processes. However, for the smaller children's act project, Phases 1 and 2 are generally combined. The decision, to combine both these phases, was due to the fact that the initial planning phase was viewed as an integral part of the research design and development phase. A further significant feature of the entire investigation is that a participant research approach was employed during each of these phases.

In Table 3.1 the single X refers to the use of the data collection method in that particular phase of the project as a secondary tool. The XX means this was the primary source of information for development and analysis of a specific project phase. An empty space means the method was not used. Phase 4 consists of two roll-outs of both case studies: an initial period (2009-2010) followed by a second implementation (2011).

3.3 Methodological approach

An important goal of this chapter is to explore the connection between the research questions, the research design and the choice of data collection tools. Although the study was interested in the pattern of interconnections between the different actors in the network, it went beyond examining these interconnections and investigated the content and quality of the interactions between different network actors[493]. The method selected was, therefore, interpretive in nature, adopting a primarily qualitative action research approach, examining and comparing policy network arrangements and the actor relationships within two selected case studies. The two case study sites, identified as ideal sites for research of this nature, are the succession planning and children's act projects. The advantage of both sites, as case studies, was that they involved multiple stakeholders[494] who represented two levels of policy development and implementation:

1. At the high end with decision makers and policy planners; and

[493] These actors, through their combined actions and resources are involved in working toward a common goal.

[494] Although in the children's act project the involvement of multiple stakeholders took place in the initial stages of the project during the development of 'child-friendly' booklets on the Children's Act.

2. At the lower end, where implementation took place wit/h practitioners and community workers at grass roots level.

The two case study sites demanded a level of assessment and analysis that was multi-layered and complex, providing an opportunity for an in-depth exploration of the substance of the interactions taking place at these different levels of network involvement. Thus the overall research design, informed by the research questions, was able to utilise multiple sources of evidence within both case studies. These sources included an extensive review of the literature and policy documents on the area being studied, one-on-one interviews, documentary analysis (memo and email communication), observations, focus group discussions, workshops, journal writings and surveys[495]. The process was iterative in nature and sensitive to the underlying meaning influencing both data collection instruments used and the interpretation.

The key research questions were aimed at examining policy networks at both the high and lower end of policy development and implementation. The main research question (page 21) broadly examined the making of policy and law at the high end and asked:

> How and with what effect do institutions, such as the DSD, UNICEF, NACCA[496] and stakeholders from civil society, work together to realise the substantive policy objectives as anchored in the principles of the Constitution and situated in the field of childhood poverty and vulnerability?

At the next level, an examination was made of the process adopted within a policy network, when delivering on strategic activities, as outlined by the strategic goals of the policy developed. This part of the research took place at both the high end, with key actors and stakeholders, and at the lower end amongst participating practitioners and community workers. The aim of the secondary research question (page 22) was twofold: first, to examine policy implementation within a networking arrangement, and; second, to study the interaction taking place between network actors, therefore the question asked was:

> How, and in what way, do actors working within a networking arrangement make progress toward meeting the needs of OVC as set down in policy and implemented through the two case study projects — children's act and succession planning projects?

[495] See Table 3.1 for 'Overview of Research Design'.

[496] For both public and private institutions.

The second supplementary research question (page 22) explores the strategic outcomes of the strategies adopted. The study first evaluated the success or failure of the case study projects in capacitating appropriately placed resource people[497] and in building networks of support, thus fulfilling key objectives of the National Action Plan for OVC[498] and the child-friendly initiative[499]. The second outcome broadly explored the potential for further programmatic development aimed at capacitating resource people, both public and private. The question, at this level, asks:

> Was the primary objective, of capacitating and targeting the appropriate resource people in communities, met through the use of policy networks within the two case studies and what is the future for on-going programme development in this area?

Over the research period a certain degree of flexibility was called for because, as is often with studies of this nature, it is not always possible or even practical to identify all detail decisions in advance. In an effort to optimise opportunities to get responses to the research questions, certain methodological adjustments had to be made in the course of implementing the twin case studies. These changes impacted on the projects themselves, on the research design and the final selection of data collection instruments.

The circumstances affecting the projects revolved around: the presence of organisational hierarchies and the lack of trust[500]; difficulties encountered with the management of complex networks and communication break-down between network actors; misperception or entrenched perceptions of actors and their roles in the network; shifting strategies during implementation, in spite of existing agreements and set time frames; and the lack of commitment of certain key actors.

The study was interested in the interrelationships between actors in a network, with a specific focus on the content of the actor interactions and the substantive outcomes of the process. Therefore, a primarily qualitative network approach was adopted, although the quantitative approach was used in some facets of the study. Nonetheless, this was not a mixed method approach as the study remained fundamentally qualitative with the

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[497] All participants are resource people in the community such as social workers, educators, paralegals or community facilitators. They were selected, by NACCA, DSD, UNICEF or Street Law (Wits), to participate in the training in both projects.

[498] Department of Social Development (DSD). National Action Plan for Orphans and Other Children made Vulnerable by HIV and AIDS in South Africa (OVC) 2006-2008 and 2009-2012. www.dsd.za/Nacca1/index2.php?option=com_docman&task=doc_view&gid=214&Itemid=39

[499] Also addressing the policy objectives of Hospice Palliative Care Association of South Africa (HPCA).

[500] With certain stakeholder groups and contracted service providers.

quantitative component taking on a secondary and supportive role[501].

3.3.1 Qualitative approach

Denzin and Lincoln point out that the qualitative research approach is, 'a situated activity that locates the observer in the world'[502] and as a result, the qualitative researcher is interested in 'describing and understanding' rather than `explaining or predicting' human behaviour[503]. Clearly, its strength lies in the fact that it is an 'inductive, naturalistic inquiry strategy of approaching a setting without a predetermined hypothesis'[504]. This is unlike a quantitative approach where, '(c)oncepts, variables, hypothesis and methods of measurement tend to be defined before the study begins and remain the same throughout'[505].

In this study, the researcher's objective was not to explain or hypothesise about the future. Rather, the objective was to investigate, through a comparative analysis of two case studies, both the development and implementation of policy within policy networks as experienced and interpreted by a variety of stakeholders, community participants and the researcher herself. In Patton's view 'we can only know what we experience by attending to perceptions and meanings'[506]. Van Maanen further defines qualitative research as 'an umbrella term covering an array of interpretive techniques which seek to describe, decode, translate, and otherwise come to terms with the meaning, not the frequency, of certain more or less naturally occurring phenomena in the social world'[507]. Merriam also points out that '(q)ualitative enquiry, which focuses on meaning in context, requires a data collection instrument that is sensitive to underlying meaning when gathering and interpreting data'[508].

The two selected case studies were ideal for the gathering of data rich in information, as both projects involved a diverse number of stakeholders — from practitioner to community member — all working within the arena of child rights and OVC. This

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[501] Merriam, S. 2009. *Qualitative Research: A Guide to Design and Implementation,* page 22.

[502] Denzin, N. & Lincoln, Y. 2005. The Sage Handbook of Qualitative Research (3rd ed), page 3.

[503] De Vos, A., Strydom, H., Fouché, C. & Delport, C. 2010. *Research at Grass Roots: For the social sciences and human service professionals* (2nd ed), page 65.

[504] De Vos *et al*. see note 503 at 5.

[505] De Vos *et al.* at page 63.

[506] Patton, M. 2002. *Qualitative Research and evaluation methods* (3rd ed), page 105.

[507] Van Maanen . 1979. Reclaiming qualitative methods for organisational research: A preface. *Administrative Science Quarterly,* 24 (4), page 520.

[508] Merriam see note 501 at 2.

diversity contributed to the selection of data collection tools that were focused on examining the interaction taking place between actors in the network, the quality of the interaction process, the content of network relationships, and the outcome of the strategies adopted. The study was grounded in reality and took place over three years (children's act project) and five years[509] (succession planning project), involving stakeholder and community in varying degrees throughout the process.

Clearly, the role of researcher in this study was of particular interest as the researcher was interviewer, observer, facilitator and participant during certain phases of the research process (Figure 3.1). Nonetheless, an important factor guiding the study was the realization that in qualitative research the researcher needs to be more focused on understanding the phenomenon from the participants' perspective, how they make sense of their world and their experiences in that world[510], as opposed to the researcher's perspectives. Where the researcher is participant/observer the researcher is able to experience the project as an insider, to some degree, although, as pointed out by Merriam, it is a somewhat 'schizophrenic activity'[511].

Merriam also introduced the notion[512] that the researcher may be viewed as a collaborative partner[513]. The defining characteristic of this collaborative approach is that there is a degree of equality that exists between the 'investigator' and the research participant, although the role of investigator is clearly differentiated from that of the participant. This 'close involvement' with participants in the qualitative study certainly provides an opportunity for the gathering of data which is rich and in-depth. However, at the same time, it may impact on the credibility of the study.

Because of the nature of a qualitative study, in particular this study, where the human-as-instrument is looked to for data collection and analysis[514], the qualitative researcher is 'closer' to the research instrument and therefore less likely to find an 'objective truth or reality'[515]. Therefore, for a qualitative study such as this one, credibility was addressed through the use of multiple methods, multiple sources of data and multiple

[509] From 2007 until 2011 for the succession planning project and 2009 to 2011 for the children's act project.

[510] Merriam see note 501 at 13.

[511] Merriam at page 126.

[512] When speaking specifically about the researcher as an observer: Merriam see note 500 at 125.

[513] Merriam at page 125.

[514] Maykut, P. & Morehouse, R. 1994. *Beginning Qualitative Research: a philosophic and practical guide*, page 26.

[515] Merriam see note 501 at 215; Maykut & Morehouse see note 514 at 26.

investigators[516], otherwise known as the triangulation of data[517]. Merriam and De Vos *et al.* also point out that it is the skill, sensitivity and integrity of the qualitative researcher that can contribute to the validity of one's findings[518].

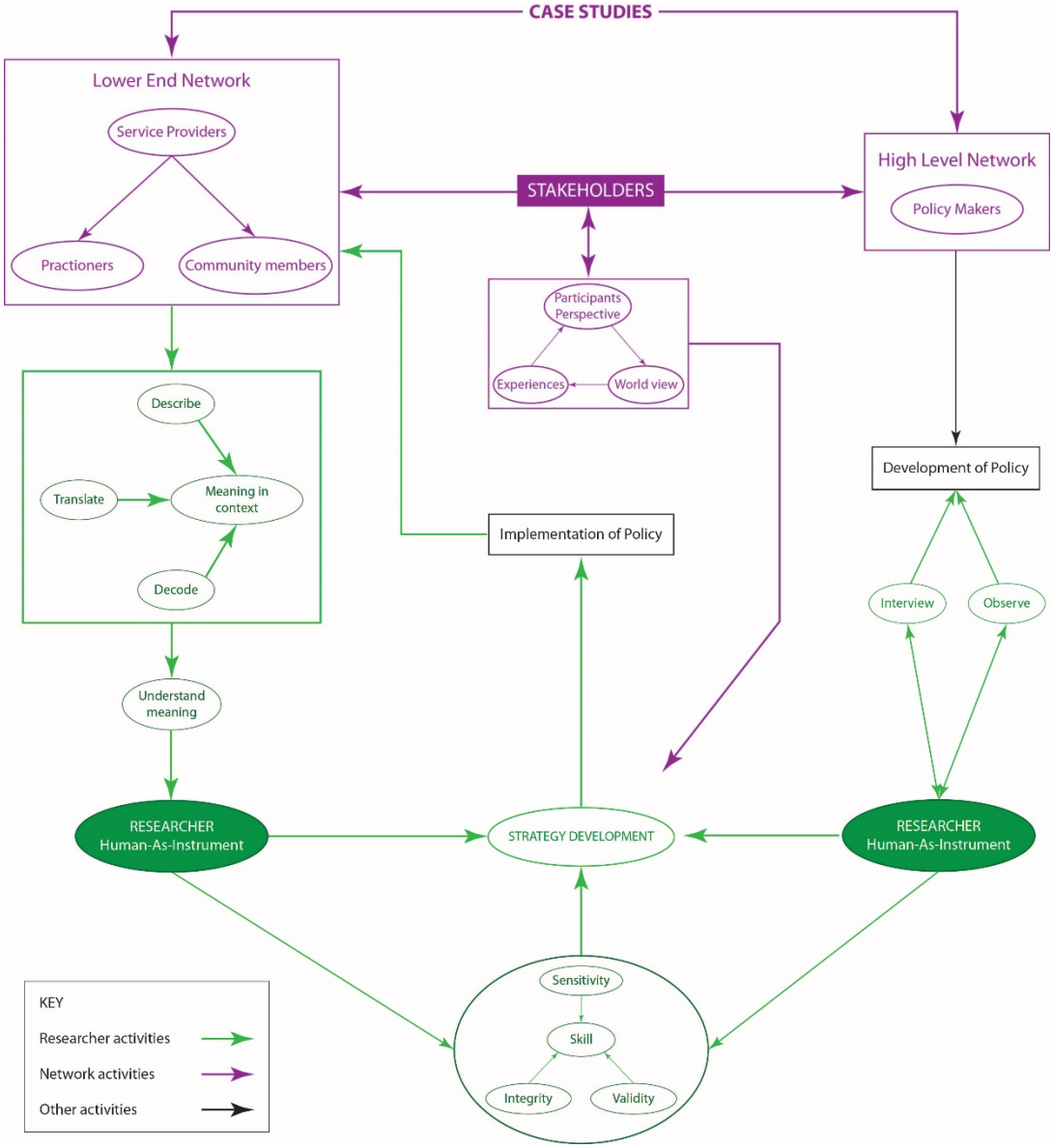

Figure 3.1: Summary of the qualitative research approach: schematic highlights the iterative nature of strategy development and the multiple roles of researcher as participant and observer

Because the researcher in a qualitative study is primarily interested in collecting data that focuses on the participants' 'accounts of meaning, experience or perceptions'[519] by

[516] Although the researcher was involved in both case studies from inception to completion, the pilot of both case studies was evaluated by independent evaluators and these findings have been included in the research study.

[517] Merriam see note 501 at 215.

[518] Merriam see note 501; De Vos *et al*. see note 503.

[519] De Vos *et al*. at page 65.

looking closely at people's words, actions and records[520] this approach resonated with the objectives of the current case study. Here the participants' words and actions were seen as fundamental to developing an understanding of the reality and complexity of the situation as seen through their eyes[521]. The qualitative research approach was able to play a key role in providing those necessary insights and in explaining social action that is grounded in the experiences of an individual, or group of individuals, in the `real world'[522]. De Vos *et al*. point out further that the various designs used by qualitative researchers will differ depending on the purpose of the study, the nature of the research question and the skills and resources available to the researcher[523].

Additionally, anyone who undertakes a qualitative study will have 'a baffling choice of design'[524] as illustrated in this study where a wide variety of data collection methods were used. This shows the diversity and adaptability of qualitative methodologies whilst ensuring credibility, through triangulation of the data gathered.

3.3.1.1 The researcher's role

Before looking at the research study and referring to the different methods of data collection it is important to highlight the role adopted by the researcher in both case studies. Because the research focussed on investigating two levels of policy networking, the role of the researcher took on a similarly twofold approach. At the first level, where policy making took place at the high end of the network, the researcher's role was an investigative role, studying the process followed in the development of law and policy, in collaboration with a network of actors from state and civil society. The primary investigation focussed on a wide range of documentary sources from both policy and law. This review then led on to one-on-one interviews with key stakeholders, within the network, who were involved in the development of policy at the higher end of the network. At this level the researcher took a more objective stance in the study.

At the second level, with practitioner and community worker, the researcher was interested in analysing the implementation of policy, within a network, through studying the quality of actor interaction in delivering on the strategic objectives. Here the study

[520] Maykut & Morehouse see note 514 at 17.

[521] Maykut & Morehouse at page 18.

[522] Maykut & Morehouse at page 68.

[523] De Vos see note 503 at 312.

[524] De Vos.

shifted its attention to looking at the practical implementation of rolling-out training workshops, within identified districts and for specific participants. Thus, the research focus was adjusted to investigate the process of implementation through actor interaction before, during and after roll-out of the activities. Finally, it focussed on the achievement of the planned outcome — to improve the capacity of the workshop participants in servicing the clients within their community. It was at this second level where the researcher's role became one that was of particular interest, as the role shifted significantly from researcher as an objective outsider to one of observer and participant researcher (Figure 3.2).

During planning and materials development (Phases 1 and 2), in both case studies, the researcher was closely involved as a consultant contracted by UNICEF[525] to design, develop and write-up the materials to be used as information booklets or training material[526] see Figure 3.2). After the materials were developed and during the pilot phase (Phase 3) the researcher's role then shifted to that of trainer[527], facilitator and ultimately project manager[528]. For the final roll-out and confirmatory phases (Phases 4 and 5), of both case studies, the researcher continued to participate in the project as project manager and continued to update and revise the training materials. Therefore, during these latter phases, the researcher could be viewed as 'doing the project' as opposed to simply 'studying the process'.

During the roll-out of the succession planning project (Phase 4), after organisations were contacted, participants invited and facilitators secured for training, the project manager's role changed significantly. From actively driving the process forward, the project manager's duties shifted to that of an involved observer responsible primarily for communicating with and updating the high-end network actors[529]. This is because, for the duration of the roll-out, responsibility for logistics and financial management was taken up by the National Organisation acting in partnership with Street Law (Wits).

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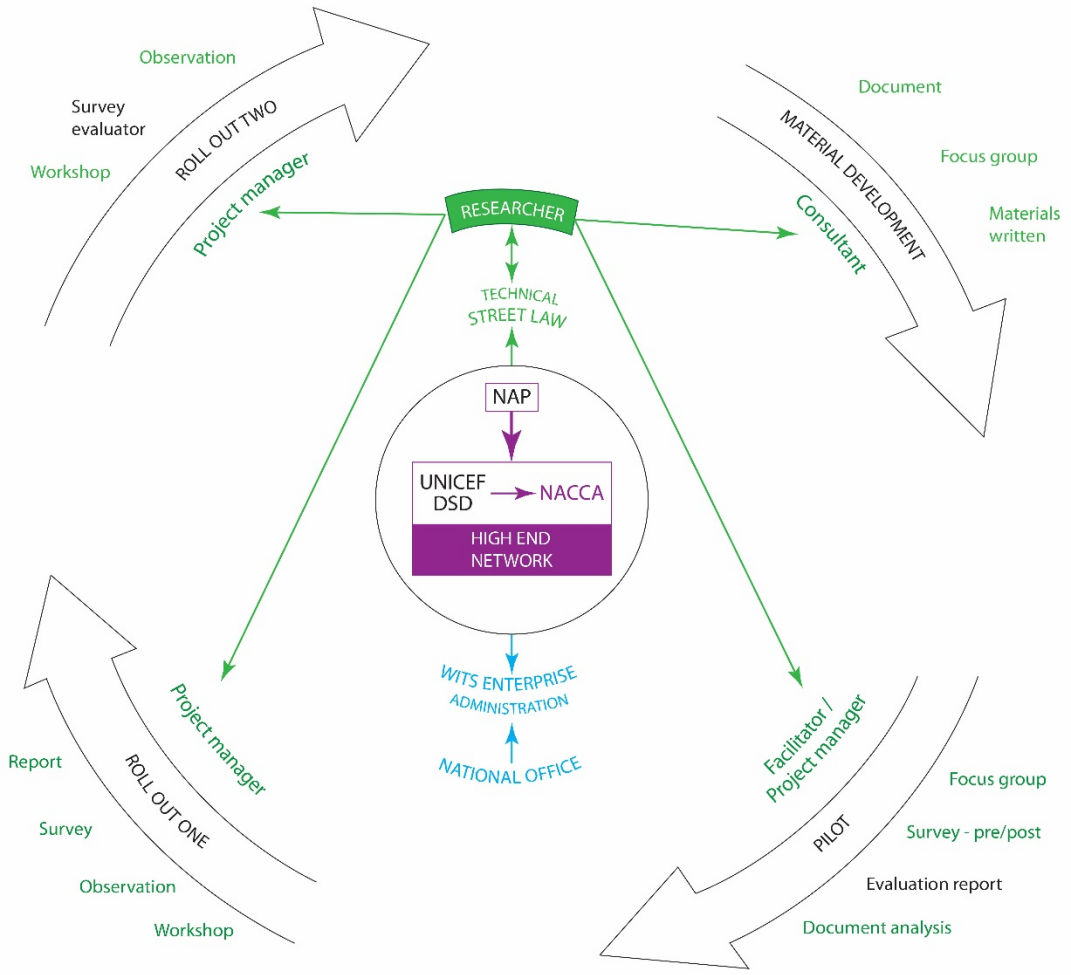
[525] Through the office of Wits Enterprise. UNICEF was in a cooperative partnership with DSD and, in the succession planning project, under the auspices of NACCA.

[526] Succession and inheritance rights and the simplification of the new Children's Act 2005.

[527] Trainer of the lead legal facilitators who were selected to carry out the ongoing training in: (a) succession planning project which was in three districts in all nine provinces within South Africa, and; (b) the children's act project, which was in one province, Gauteng, with one NGO, Cotlands Children's Hospice.

[528] In the children's act project the researcher was the Street Law coordinator who worked in close collaboration with HPCA and Cotlands. The facilitators involved in the project took on the main logistical and training role. The project ended after its first pilot and was evaluated by an external evaluator appointed by HPCA.

[529] Responsible for keeping all stakeholders 'in the loop' through weekly information updates and maintaining open communication links between the high end and lower end stakeholders, including facilitators, and the service provider representatives. Overseeing the process whilst the task team 'steered' as opposed to 'driving' the process.



Key:

Researcher's role and activities	
Administration	
Network	
Phases and other activities	

Figure 3.2: Summary of implementation phases during the succession planning project (Phases 1 and 2 are combined in this schematic)

Specifically, in the succession planning project, responsibility for overseeing contractual aspects of the project fell on the National Organisation[530]. Responsibility for overseeing the overall project was dependent on the task team, consisting of UNICEF, NACCA, DSD National Office and the National Organisation, in consultation with the project manager. The role of the researcher, acting as project manager at this stage, was to be vigilant, maintaining open communication and providing regular report-backs to the task team.

This study also revealed the importance of piloting a planned strategy prior to the full

[530] In the project Wits Enterprise in partnership with Street Law (Wits) was the service provider responsible for the initial phases of the project – planning (Phase 1), materials development (Phase 2) and the pilot (Phases 3). During training roll-out (Phase 4) responsibility for administration and technical support was shared between National Organisation and Street Law (Wits).

implementation of a programme. For example, it was during the pilot phase of the succession planning project that unavoidable challenges arose which threatened to undermine the successful implementation of the project. As a result of unexpected challenges, the initial planning and the allocation of roles to specific actors in the network, particularly that of the network manager, called for urgent adjustment and reframing. These changes significantly impacted on the roll-out of training during the pilot and impacted directly on the role that the researcher played in the study.

3.3.1.2 The relevance of a pilot study: Looking at the two pilot case studies

Thus, a pilot study, according to De Vos *et al*.[531], can be viewed as a dress rehearsal for the main investigation or programme. In the two case studies, the information that was gathered during Phase 3 (pilot) of each project had a significant impact on the training material used; the later selection, identification and removal of certain key stakeholders; the ongoing process of working with actors in the network and the division of roles and responsibilities amongst actors in the network. Additionally, because of certain fundamental differences in the two case studies such as, availability of resources, number of participant/delegates to be trained and the involvement of key stakeholders, each pilot had significant differences.

One important point to make in relation to both of the pilots, is that although focus group discussions, interviews and observations were conducted by the researcher, much of the information relating to the pilot, was gathered from two separate evaluation reports written by two independent evaluators hired by UNICEF or HPCA[532].

The distinction, between the two pilot studies, was that the succession planning project had the support of key stakeholders at National Government and international-agency level, through NACCA, DSD and UNICEF. This was due to the fact that, after the materials were developed, NACCA, led by the 2006–2008 National Action Plan for OVC, had an obligation to roll out the succession planning training across South Africa[533]. What this meant, was that the project initiative was driven by DSD National, in partnership with UNICEF. The project was piloted in all nine provinces; with nine provincial DSD departments; included a variety of NPO and CBO groups and; was able

[531] De Vos *et al*. see note 503 at 73.

[532] UNICEF hired an evaluator for succession planning project, HPCA also hired an evaluator for children's act project. Both evaluators incorporated many of the researcher's focus group findings into their evaluation reports.

[533] Based on strategies in NAP for OVC 2006-2008 and 2009-2012.

to run for a period of 18months, with adequate financial and human resources[534].

Unlike the succession planning project, the children's act project followed a path where, initially, Government and UNICEF were involved and when this involvement ended the project progressed at a much smaller scale[535]. Key stakeholders in the children's act project, DSD, UNICEF and Wits Enterprise, withdrew from managing the overall process, once the contract objectives were met — which were to publish and launch three child friendly booklets on the Children's Act. As a result, training workshops were subsequently piloted under the auspices of a National NPO, Hospice Palliative Care Association (HPCA) [536], and its local Gauteng affiliate Cotlands Children's Hospice, whose objective was the care of children affected and infected with HIV. At this point, the size of the budget, the number of workshop participants involved and time allocation, was greatly reduced. This therefore influenced the selection and sampling of participants for focus group discussions and for the training workshops. In spite of these distinctions, both projects shared similarities during implementation of the pilot such as:

1. Both pilot studies aimed at developing the capacity of resource people based in communities and working with OVC in terms of specific policy objectives.
2. In both studies 'capacity building training' was run within a network structure where actors were dependent on one another for the provision of resources ranging from: financial; knowledge and information; skills and capacity building.
3. During the pilot (Phase 3) both projects were evaluated by separate external evaluators, the reports are included in the analysis of this study (Figure 3.3).

Therefore, the value of a pilot prior to implementing a planned project cannot be ignored, particularly with respect to the case studies in the research. The pilot highlighted the value of: 1) Developing a reciprocal relationship with network actor, community member and researcher so that similar issues, faced daily at a grass roots level can be identified and shared; 2) Developing a clear understanding of network challenges, strategies and processes that enhance or disrupt effective interaction between actors, impacting on delivery of a planned programme; and 3) Identifying potential participants through organisational networks used during the pilot.

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[534] Although the original pilot phase was set down to run for approximately 8months, certain unseen challenges occurred that delayed and almost intervened with the commencement of the training programme. As a result of these delays the pilot project took over a year to complete.

[535] After the child-friendly version of the Children's Act was completed the pilot training programme ran for a six month period.

[536] HPCA is a national umbrella body affiliated with associate organisations throughout South Africa.

With various stakeholders coming together to develop and implement strategies aimed at promoting and protecting the rights of children, a degree of complexity was attached to both projects which ultimately influenced the research approach and design.

A further element of complexity was introduced through the reciprocal relationship that existed between researcher, stakeholder and participant. The relationship between participant and researcher was one of equality, as opposed to one of inequality between active researcher and passive subject[537]. This could be attributed to the ongoing sharing of information between researcher, stakeholder and certain community members, with the ultimate aim being the empowerment of participants and members of the targeted communities. In the next section the notion of community empowerment, where the research participant plays a contributory role in a research process, is explored by introducing the participatory action research approach.

3.3.2 Participatory action research (PAR)

Merriam says that action research addresses a specific problem within a specific setting, such as a programme or organisation, and that this kind of research often involves participants in the research process[538]. During the pilot studies (Phase 3 of both case studies; see Table 3.1) and also during the first roll-out (Phase 4) of both case studies, participants were involved in an interactive research process. Participants were able to provide guidance and feedback around issues confronting people in the communities where they lived and worked. During the training process, they were actively engaged in identifying the real world experiences and challenges confronting their community clients, whilst also reviewing and commenting on materials developed. It is with respect to these issues that networks within communities are able to play a significant role in the protection and care of OVC. De Vos *et al*. say, 'PAR (Participatory Action Research) helps the community to create informal social support networks in cooperation with professional helpers to prevent or cure a problem on primary, secondary and tertiary level'[539].

In the case studies, the initial interviews, focus group discussions and workshops held, ultimately influenced the development of the training booklets and the programme

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[537] In De Vos *et al*. see note 503, speak about equality and mention that in participatory action research those typical boundaries between researcher and research participant become blurred in PAR in grass root communities dealing with 'wicked problems'

[538] Merriam see note 501 at 4.

[539] De Vos *et al*. see note 503. Merriam see note 501 at 493.

designed to address certain key issues. The succession planning booklets, the training and facilitator's guides, were made up of participant's stories that were gathered during the interviews and discussion groups held prior to and during workshops (Appendix 1). In the children's act project a less in-depth process of story gathering was followed, involving a noticeably smaller group of participants.

Bless *et al*. point out that PAR focuses on using collective action to bring about long term solutions to challenges and problems[540] and that the 'focus is on the particular problems facing communities who attempt to use research, and the resulting action, as a tool to bring about social change'[541]. This action research model is a model that aims at empowering the participants involved in the research process and as part of the network. The research is the tool though which the participants, from organisations identified or affiliated with the high end actors in the network, UNICEF, DSD, NACCA or HPCA, were able to contribute to the development of these materials that were ultimately used in the training programmes. The lower end network, comprising, resource people (service providers)), such as, private and public social workers and community representatives, were the final recipients of the training programme and were also instrumental, during the training, in sharing and offering creative solutions to many of the 'wicked problems' that confront the vulnerable communities that they live and work amongst.

In the two projects, the objective was to work with people who were involved in the delivery of services in the project target areas. Both of the projects were innovative programs, designed to run within a set time-frame, with a specific goal in mind and a specified group of participants, ranging from social workers (private and public), managers and care workers to community representatives. The research approach selected needed to resonate with the overall aim of the two projects, which was to empower and capacitate participants, and fit within the differing network arrangements of the two case studies. Beyond the determination that the PAR would be used for this doctoral study, the case study approach was thus viewed as ideal for gathering rich data whilst investigating a specific program, taking into account the interaction of multiple variables.

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[540] Bless, C., Higson-Smith, C. & Kagee, A. 2007. *Fundamentals in Social Research Methods: an African Perspective* (3rd ed), page 64.

[541] Bless *et al*. see note 540.

3.3.3 The qualitative, comparative case study approach

According to Maykut[542], the results of a qualitative research study are most effectively presented within a rich narrative that is sometimes referred to as a case study. Yin defines a case study as 'an empirical inquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident'[543]. Merriam, on the other hand, sees a qualitative case study as, 'an intensive, holistic description and analysis of a bounded phenomenon such as a program, an institution, a person, a process, or a social unit'[544] with particular emphasis on the notion of bounded which she describes as, 'a single entity, a unit around which there are boundaries'[545]. Cresswell expands on this description and says that 'case study research is a qualitative approach in which the investigator explores a bounded system (a case) or multiple bounded systems (cases) over time, through detailed, in-depth data collection involving multiple sources of information'[546].

Many qualitative researchers point out that there is a certain amount of confusion regarding the case study design and its methodological framework. Merriam explains that part of the confusion surrounding case studies is because the process of conducting a case study is often conflated with the unit of study (the case) and the product or outcome of the study[547]. De Vos *et al*. point out that, 'case study design is more of a choice of what to study than a methodological one'[548].

Nonetheless, despite the confusion, the choice to focus on a qualitative case study was founded on the fact that the researcher was interested in insight, discovery and interpretation rather than testing a hypothesis[549] and case studies provide a dense description of the area under investigation[550]. In addition, the notion of a 'bounded system' or 'systems' specifically applies to this study with a focus on two case studies of policy making and implementation carried out through a networking arrangement.

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[542] Maykut & Morehouse see note 514 at 47.

[543] Yin, R. 2008. *Case Study Research: Design and Methods*.

[544] Merriam see note 501 at preface x and at 40.

[545] Merriam.

[546] Cresswell, J. 2007. *Qualitative Inquiry & Research Design* (2nd ed), page 73.

[547] Cresswell see note 546 at 73.

[548] De Vos *et al*. see note 503 at 320.

[549] Merriam see note 501 at 42.

[550] Merriam at page 43.

Merriam points out[551] that, '(t)he more cases included in a study and the greater the variation across the cases, the more compelling an interpretation is likely to be'[552]. The decision to extend this study to include two case studies is therefore an obvious one. This was a comparative study where both projects were initially introduced through a similar network of actors[553] with a focus on serving OVC, both shared common objectives to capacitate and inform service providers, yet they differed with respect to capacity and resource allocation. In this way, the research study further adds to the validity of the research through a comparison between both case studies.

In these two studies the shared core objective was to capacitate service providers[554] who were living and working in specific areas throughout South Africa. Service providers were to be equipped with the knowledge and practical skills to assist orphans, vulnerable children and care-workers in knowing and accessing their legal rights and understanding the related legal processes. UNICEF and DSD were the key policy actors who initiated both projects[555]. The unit of analysis was the inter-institutional operations between the high end network actors — DSD, UNICEF, NACCA and the service providers involved in the process.

3.4 Negotiating access

Because of the contacts developed during the planning and piloting phase of the doctoral research projects (Phases 1 and 3 respectively; see Table 3.1), and more broadly during the roll-out phase (Phase 4), access to institutional representatives and research participants was relatively easy. Having said this, there were certain instances when difficulties were encountered as a result of institutional or departmental blockages within a particular organisation. The ease of access was due to the position held by the researcher, who was a consultant in both the case studies. Access to the necessary documentation, observation of various meetings, interviews with relevant stakeholder representatives, participation in workshops and insight into the overall network process were based on the connections made and maintained over the five year period with the succession planning and the three and a half year extent of the children's act

[551] Merriam see note 501 at 49.

[552] Merriam.

[553] This changed during the pilot (Phase 3) and the training roll-out (Phase 4) of the projects.

[554] Service providers affiliated with key network actors.

[555] The degree of the various stakeholders.

projects[556]. The research study was undertaken with the full consent of those responsible for the projects.

There were occasions, when the researcher observed that she was too close to the process, the people and the service providers working on the project. In these cases she had to take a step back and reposition herself as the researcher. Such instances occurred when attempting to arrange an interview or meet a particular actor in the network. During these times, the process was blocked or an email or phone message not returned. In one case in point, the researcher was told that she could not be privy to certain information as she was not part of that particular organisation who was working within the network structure. Nonetheless, these situations were rare.

In both case studies, most people showed a willingness to talk about their experience of working in a network with other actors. Many were also prepared to share information[557] relating to the project focus area and openly discussed common concerns and issues facing poor and vulnerable members living or working in the target areas. For example, after preliminary interviews were conducted formally with certain key representatives, it was possible to undertake several, more informal or semi-structured, follow-up interviews. This was necessary, particularly with the succession planning project, as the pilot project took over a year to complete and there were a further two training roll-outs that were not expected at the time of project planning. Permission was sought from the representatives interviewed for the insights provided to be used in this study. As a result, despite of a few limitations, a substantial body of data was gathered.

The decision, to use a wide choice of data collection instruments, was based on the argument that qualitative researchers should broaden the research horizon by thinking 'widely and creatively' about the possible sources of data and methods to select[558]. In the following section, the various instruments chosen are identified, described and justified as appropriate for this study because of their contribution to revealing the rich layers of data contained within the two case studies.

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[556] As is the norm with most long to medium term projects, over the years there has been some attrition of the initial contacts made.

[557] All participants were informed about the research study, the presence of an observer, when there was one and the need for their valuable feedback and insight.

[558] De Vos *et al*. see note 503 at 324.

3.5 Qualitative data collection

The large variety of data collection methods identified for this study (Table 3.1), ranged broadly across all phases of the research project, often linking and building on each phase and at times overlapping. These data collection instruments were selected because they were identified as most appropriate for the examination of policy implementation in a policy networking arrangement and best suited to determining: 1) the content of network relationships, perceptions and experiences; 2) the quality of interaction between network actors, communication and levels of trust; and 3) the outcomes or results of actor interaction in delivering on policy objectives.

Qualitative data methods ranging from documentary analysis to interviews, focus group discussions and observation were used to study the succession planning and children's act projects. These various instruments and their purpose and relationship to the research questions are set down in this section (Section 3.5).

Although the research was from a primarily qualitative paradigm, the incorporation of a pre-and post-test participant survey[559] introduced data that could be quantified. For this part of the analysis, the survey was viewed as a useful method of quantitative data analysis better able to answer the last of the two sub-questions and focused specifically on Phase 4 of project implementation in the succession planning project (Table 3.2). Methodology used in the collection and analysis of the quantitative data component is described in Section 3.8.

3.5.1 Key instruments used in case studies

Table 3.1 to Table 3.3 identify the diverse number of data collection instruments viewed as most appropriate in providing the information needed to answer the three questions posed in this study. Table 3.2 depicts the link between the data collection instruments and the research questions. Of the instruments identified, the three most frequently used were: 1) interview based, primarily through one-on-one interviews with key personnel[560] and focus group discussions; 2) documentary analysis, email communication, journal entries and minutes of meetings; and 3) surveys, pre- and post-training. The other data-collection methods selected, ranged from an analysis and

[559] Because the quantitative data is within the qualitative paradigm there is no need to refer to the use of a mixed methodology approach.

[560] Interviewees were identified while the study evolved although representatives from UNICEF were identified from the start. Because of recent changes within the DSD, key personnel previously involved and identified had left or been transferred.

review of other documents — relating to law and policy, parliamentary reports, evaluation reports — observation in the field and also observation within the training workshops. The inclusion of formal, quantitative research instruments in the form of surveys provided answers to the final sub-question on the impact of both projects on the targeted communities.

Table 3.2: Linking research questions with data collection

Research question 1	**How and with what effect do institutions, such as the DSD, UNICEF, NACCA and stakeholders from civil society, work together to realise the substantive policy objectives as anchored in the principles of the Constitution and situated in the field of childhood poverty and vulnerability?**
Collection method	Literature review, documentary review & analysis, key informant interviews and observation.
Reason for data collection	To reveal actor relationships (private and public) and actor interaction in the network; examine differing perceptions of roles and experiences; examine challenges encountered; and examine strategies adopted during the development and implementation of policy.
Data source	DSD, UNICEF, NACCA representatives and NPO institutions within the network. Also service providers and other stakeholder groups.
Frequency	Prior to commencement projects; during implementation of the pilot and roll-out.
Reason for frequency	Ascertain planning process, note challenges, successes during implementation, to assess manner, outcomes and success of planning and implementation toward end of rolling out training.
Research question 2	**How, and in what way, do actors working within a networking arrangement make progress toward meeting the needs of OVC as set down in policy and implemented through the two case study projects – children's act and succession planning projects?**
Collection method	Documentary review (email, memos, evaluation feedback), focus group discussions and workshops, pre-and post-surveys, evaluation forms, observation, interviews.
Reason for data collection	To: determine outcome of a collaborative and cooperative process between actors; examine the management of the network process; examine actor interaction and implementation of policy within a network arrangement.
Data sources	DSD national and provincial coordinators, UNICEF, service providers, project managers, reference/task team, Street Law coordinators and administrators; delegates in workshops.
Frequency	Documentary analysis: prior to/during implementation of pilot and roll-out; focus groups: prior to materials development, programme development and post-training; Interviews, during and post-pilot and roll-out; surveys, evaluation post roll-out 1 & 2; observation: prior to and during.
Reason for frequency	Documentary analysis: on-going collation of email communication, minutes and reports to establish themes, focus groups and surveys: to ascertain participants' knowledge, attitudes and experiences prior to training and note substantial learning through adjustment of practice post-training. Observation and interviews: during training to view responses during training process, interaction of delegate/participant, gather narratives, experiences and perceptions of training.
Research question 3	**Was the primary objective, of capacitating and targeting the appropriate resource people in communities, met through the use of policy networks within the two case studies and what is the future for on-going programme development in this area?**
Collection method	Documentary analysis: email communication, minutes of meetings, evaluation reports, focus group discussions; one-on-one interviews; and pre-and post-surveys.
Why is data being collected?	To assess the impact and spread of: 1) training for key resource people in the targeted sites; 2) a network of support of trained delegates in the communities where they live and work; and to assess the influence of the developed programme on future activities or programmes of a similar nature.
Data sources	Trained delegates from DSD, civil society, NPOs and FBOs. Project managers, administrators, additional NPO institutions.
Frequency	Pre, post-training and one year after end of training.
Reason for frequency	To establish impact on targeted or identified areas; to determine perceived benefits; to establish spread of network of support; and to determine on-going value of the learning provided.

Merriam states that interviews are the 'predominant mode of data or information

collection in qualitative research' where, 'some and occasionally all of the data are collected through interviews'[561] and that if one cannot observe behaviour, feelings or people's interpretation of the world then, 'interviewing is necessary'[562]. According to Merriam, interviewing has become so much a part of popular culture that we have become an 'interview society'[563]. Thus, interviewing can take place in many forms, and have a variety of definitions. For researchers such as Bergum[564], deMarrais[565], Maykut and Morehouse[566] interviews are a form of conversation and, when used in qualitative research, an interview can be defined as 'a conversation with a purpose'[567]. DeMarrais explains that in an interview, 'the researcher and the participant engage in a conversation focused on questions related to a research study'[568]. De Vos *et al*. see all interviews as 'interactional events and interviewers are deeply and unavoidably implicated in creating meanings that ostensibly reside within participants'[569]. The main purpose of an interview is to 'allow us to enter into another person's perspective'[570], here the qualitative interviewer attempts to understand the participant's view of the world, 'to unfold the meaning of people's experiences, [and] to uncover their lived world prior to scientific explanations'[571].

Much has been written about the type of reality that interviews may represent, where authors from varying philosophical perspectives, share a common concern about the power dynamics and subjectivity involved in the interview process. Some writers argue that interviews are reflections of selected experiences that can possibly become distorted in a person's memory over a period of time[572] or 'fraught with issues of power, who controls the direction of the interview, who controls the results, who benefits?'[573]. Seidman speaks of people's experiences of class, race, and gender and how this

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[561] Merriam see note 501 at 87.

[562] Merriam at page 88.

[563] Merriam see note 501 at 87.

[564] De Vos *et al*. see note 503.

[565] DeMarrias, K. 2004. Qualitative Interview Studies: Learning through experience. In: K. deMarrias & S. Lapan (eds.) *Foundations for Research*.

[566] Maykut & Morehouse see note 514 at 79.

[567] Maykut & Morehouse at page 79.

[568] Maykut & Morehouse at page 51–68.

[569] De Vos *et al.* see note 503 at 342.

[570] Patton see note 506 at 340–341

[571] De Vos *et al*. see note 503 at 342.

[572] Scheurich, J. 1997. *Research Method in the Postmodern,* page 73.

[573] Seidman, I. 2006. *Interviewing as Qualitative Research: A Guide for Researchers in Education and the Social Sciences (3rd ed),* page 99.

interacts with the sense of power in their lives[574].

Merriam says that in relation to the complexities encountered in the interviewing process, the discussion is sometimes framed in terms of the insider-outsider status, particularly, she says, 'with regard to visible social identities, most notably gender, race, age, and socio-economic class. She then questions if people are more likely to reveal information to insiders or outsiders and that, in order for the study to be credible, is it necessary for a researcher to be a member of the group being investigated?

In this doctoral study, the researcher was able to play the role of insider, as a consultant and project manager in both case studies, and outsider in relation to working with certain stakeholder groups; from government and civil society across the country. In both sets of circumstances, the researcher remained sensitive, professional and consistent about the issues raised. Interviewing was approached with an understanding that it there is a need to create enough of 'a distance to enable' the interviewer 'to ask real questions to explore, not to share assumptions'[575].

The skill needed in interviewing has been raised by authors such as De Vos *et al.*, Merriam, Maykut and Morehouse. De Vos *et al*. say that interviewing is a social relationship and that 'the quantity and quality of information exchanged depend on how astute and creative the interviewer is at understanding and managing the relationship'[576]. Therefore the qualitative researcher needs to remember that it is the depth of the conversation that characterises qualitative interviews and it is the nature of the qualitative interviewing situation that allows this to happen. Qualitative interviews are usually more open-ended, less structured and longer than other interviews, thus allowing for 'prolonged engagement' with the interviewee[577]. In addition, many of the studies mention that the interviewee is often interviewed more than once.

The lengthy time frame, with or without additional interviews, provides the interviewer with an opportunity to build rapport with the interviewee/s and create a climate of trust. Where there is a 'persistent involvement' with the interviewee, with additional interviews, it 'makes it more likely that the researcher will come to understand at a

[574] Merriam see note 501 at 108.

[575] Merriam at page 77.

[576] De Vos *et al*. see note 503 at 342.

[577] Maykut & Morehouse see note 514 at 80.

deeper level their perceptions related to the phenomenon under study'[578]. What further strengthens the quality of engagement, and the quality of the data gathered, is the skill displayed by the researcher as interviewer. De Vos *et al*. point out that whoever is chosen to conduct the interview should be highly skilled, which means that researchers need to be appropriately trained[579], whilst at the same time having an approach that is non-judgemental, sensitive and respectful of the interviewee/s[580].

3.5.2 The interview process

The broad purpose of utilising interviews in this research study was to:

1. Ascertain the role played by network actors, from civil society — both national and international — in the development of policy and law, which ultimately led to the key programmatic interventions on which the two case studies were built;
2. Discuss and determine the role — actual and perceived — held by the interviewee during project implementation and as part of the network arrangement;
3. Establish the interviewee's experiences and perceptions regarding situations encountered prior to, during and post implementation;
4. To generally gather narratives on participants' experiences; perceptions and attitudes toward: i) common concerns and challenges in the area where they live and work; ii) being an actor or participant in either project.

To do this a variety of qualitative interviews were identified: 1) semi-structured in-depth interviews; 2) informal one on one interviews; and 3) focus group discussions. (Annexure 2).

A structured interview is usually an oral form of the written survey. In a qualitative research paradigm this more structured interview approach, if too rigidly followed, may limit the researcher's opportunity to access the interviewee's personal perceptions or understanding of the world[581]. That is why most of the interviews in this research study followed a process where the interviewees were given room to respond without being directed or forced to answer a series of leading questions. The interviews used in this study were open-ended, semi-structured and at times, when following-up during an

[578] Maykut & Morehouse see note 514 at 81.

[579] De Vos e*t al.* see note 503 at 343.

[580] Merriam see note 501 at 109.

[581] Merriam at page 90.

extended roll-out phase, informal qualitative interviews.

The advantage of an open-ended, semi-structured interview is that the interviewer will have a list of questions or issues that will be used as a guide but the actual order of the questions used and the wording given is not strictly predetermined. What this means is that the researcher has an opportunity 'to respond to the situation at hand, to the emerging worldview of the respondent, and to new ideas on the topic'[582]. In the informal, unstructured interview, interviewees, who are invited to participate in an interview, may often be under the impression that they are participating in an informal conversation[583], initiated by the researcher in the field[584].

In relation to the succession planning project, semi-structured interviews were held with two representatives from UNICEF, two Street Law coordinators and two administrators involved in the Street Law programme during the training roll-out (Phase 4). Also interviewed were representatives from organisations such as CINDI, NACCW, World Vision and Agincourt (Limpopo). In the children's act project, semi-structured interviews, and informal unstructured interviews, were held with key actors, who participated in the training, from Cotlands Children's Hospice and the project manager from HPCA.

Focus group discussions were also extensively used in the case studies. In the succession planning project, they were the primary tool in gathering data during the materials development phase (Phase 2). In the children's act project, focus group discussions were used in the pilot (Phase 3) of the project. These discussions revealed a rich, diverse layer of data that highlighted the needs of OVC, their families and the communities where they are located. The focus group discussions also contributed to a broad understanding of the network of support and resources existing within the targeted communities[585]. (Appendix 3)

3.5.3 Focus group discussions

According to Schurink *et al*. a focus group discussion is a 'purposive discussion of a specific topic or related topics taking place between eight to ten individuals with a

[582] Merriam see note 501.

[583] Merriam.

[584] Maykut & Morehouse see note 514 at 81.

[585] DSD National and provincial coordinators who link with NPOs, CBOs at grass roots level through programmes such as Isibindi– mentored by National Association of Child and Youth Care Workers (NACCW).

similar background and a common interest'[586]. This discussion is a form of group discussion where `dynamic group interactions are emphasised, amongst other things'[587]. By choosing this method, the intention was to explore a deeper, more contextual level of understanding about the participants involved in the discussion, thus, moving away from generalisations.

Because focus group methods are particularly well-suited to exploring participant's experiences, and in revealing perceptions and insights; they were used for both case studies. In the two studies, data gathered from focus group discussions were integral in establishing existing knowledge gaps; attitudes and perceptions relating to local problems, and various issues facing children, families and their community. Therefore, the questions focused on establishing the following: 1) Shared needs and challenges that participants faced in the areas targeted for training — in terms of the two case studies; and 2) the experiences and perceptions of actors participating at the lower end or peripheral levels of the network.

In the succession planning project, the discussions that were held with care-workers, social workers, educationalists, community members and other professionals, not only contributed significantly to the development of materials, they also contributed to the body of data being collected for evaluation of the pilot projects[588], (Table 3.1 and Table 3.3). Focus group discussions were also seen as the appropriate data collection tool, for the gathering of participant narratives post the final roll-out of the succession planning training.

During the initial stages, of a focus group discussion, leads are followed by 'pursuing the relevant persons, settings, or documents' that will help in illuminating the area of interest and it is the data that will suggest either a broadening or narrowing of the focus of inquiry[589]. In the succession planning project, during the research and materials development phase (Phase 2), these discussions were the primary instrument used to gather data. The data being sought related to information on needs and experiences of respondents who represented the experiences of professional and community members — working with and/or assisting orphans and or children caring for their loved ones who

[586] Schurink, W., Schurink, E. & Poggenpoel, M.1998. 'Focus group interviewing and audio-visual methodology in qualitative research'. In: *Research at Grass Roots: A primer for caring professions*, page 314.

[587] Maykut & Morehouse see note 514 at 104.

[588] In addition to using other qualitative data collection tools such as: pre and post questionnaires and workshop observation.

[589] Maykut & Morehouse at page 47.

were terminally ill.

The data gathered was used in the development of training materials and the training programme of the succession planning project. In this project, focus group discussions were carried out in four provinces, two within an urban environment (Johannesburg and Pietermaritzburg) and two in rural settings (Acornhoek and Mafikeng). These various focus group discussions, involved a diverse selection of respondents; ranging from child advocacy groups to community caregivers and social workers. Although primarily used during the research phase (Phase 2) of the succession planning project, focus groups were also used, to a smaller extent, during the pilot (Phase 3), for evaluation purposes, and the confirmatory workshop phase (Phase 5), as indicated in Table 3.3. In the children's act project, focus groups were held during the pilot (Phase 3) of project implementation, for purposes of evaluation.

Table 3.3: Summary of the focus groups

Case Study	Phase of Process	Participants	Number of Focus Groups
Succession Planning Project	**Phase 2:** Materials development – Needs Assessment.	Social workers, auxiliary social workers, careworkers, NPO, CBO, FBO, community members — all affiliated to UNICEF, NACCA & Street Law.	1. KwaZulu-Natal x2; 2. Gauteng x2; 3. North West x1 4. Limpopo x1
Succession Planning Project	**Phase 3:** Pilot as part of evaluation report.	Trained delegates: DSD coordinators, NPO, CBO.	1. Western Cape – Cape Town x1 2. Free State – Bloemfontein x1 3. North West – Mafeking x1 4. Northern Cape – Kimberley x1
Children's Act Project	**Phase 3**: Pilot.	Cotlands Children's Hospice: 2 social workers, educationalist, psychosocial manager, 2 volunteer workers and 3 careworkers.	1. Gauteng – Johannesburg x2
Succession Planning Project	**Phase 5**: post roll-out, confirmatory workshops.	Trained delegates from NPO groups and NACCW.	1. Gauteng – Johannesburg x2

The different perceptions, experiences and personal stories that came out of the early focus groups, along with the interview data gathered, helped in highlighting key focus areas whilst also identifying the role played by certain actors in the network. What also became apparent was the need for a more collaborative, inclusive approach during implementation of training projects of this nature. These discussions also assisted in developing later interview guides and the pre-and post-training participant surveys.

The selection and the number of participants in the focus groups in the pilot (Phase 3) and the confirmatory phase (Phase 5) ranged from six to ten people and were identified as a result of their participation in either of the case studies. Ordinarily the groups would comprise participants who were recruited in terms of demographic, social and/or

political criteria. For the succession planning project, participants were identified, by their institution or organisation, based on criteria developed by the reference team, from UNICEF, DSD National and Street Law (Wits)[590]. These sites were not clearly predetermined and emerged as the study progressed over a three to four year implementation period, hence the emergent and interpretive nature of the research.

Although the data collection tools used in the research study were primarily qualitative and interview based, other data collection instruments of particular significance to the study were: documentary analysis of minutes of meetings; evaluation reports; reviews of legislation and policy documents; email communications; observation of workshops and meetings, and; surveys. These instruments contributed to a greater understanding of policy making at the high end and the interaction of actors within the network at both the higher and lower end of policy networks.

Of specific relevance in the examination of network relationships, with respect to actor perceptions and actor interactions, was the use of computer-mediated communication in the form of email correspondence. Whilst interviewing the UNICEF representatives, the researcher was alerted to the significance of emails sent to network actors during the roll-out of the training programme (Phase 4).

3.5.4 Supporting data tools

The following section introduces the additional data collection instruments used to support an examination of the interaction taking place between different network actors. In addition email correspondence and observation of meetings assisted in providing data for an in-depth analysis of the diverse perceptions that network actors held with respect to their position and the position of other actors in the network.

3.5.4.1 Gathering data from documents

According to May documents are useful sources 'not as self-evident, but as part of the way in which truth is produced'[591]. Documents are able to inform us 'a great deal about the way in which events are constructed, the reasons employed, as well as providing

[590] Originally Wits Enterprise with Street Law (Wits). In 2009, the service provider changed to the National Organisation with the Street Law (Wits) coordinator acting as project manager.

[591] May, T. 2001. *Social Research: issues, methods and process*, (3rd ed), page 178.

materials upon which to base further research investigations'[592]. In this study the search for documentary evidence included conference reports; research reports — from both government and civil society; minutes of meetings, including strategic planning meetings; proposals and budgets, and other reports from meeting or discussion groups examining processes adopted to achieve specific legal or policy obligations.

The documentary evidence provided an opportunity to build a deeper understanding of the interaction that took place between state and non-state, as high end network actors. The documents highlighted the collaborative process being used by high end network actors, such as UNICEF, DSD and certain NPOs, in developing legislation in the form of the Children's Act. It also indicated the collaborative process followed in the creation of policies such as the National Action Plan for Orphans and Other Children Made Vulnerable by HIV/AIDS 2006-2008 and 2009-2012.

The two supplementary questions, in the study, specifically aim at examining the implementation of the case study projects within a network setting. There are a variety of factors or characteristics that influence the development and implementation of policy within a network. Issues such as, the number and variety of actors; their skills, capacity or resources; actors' differing perceptions, beliefs and values; their expectations, and; institutional obligations, all have an influence on actor interaction and communication.

Therefore in both case studies an examination was made of the frequency and manner in which actors interacted, including the interaction with and position taken by actors such as the network manager, the lead agencies and the service provider. Data was gathered through email correspondence sent during implementation particularly during the roll-out of training (Phase 4) of the succession planning project and in the children's act project during the pilot and the training roll-out (Phases 3 and 4).

This form of electronic communication contributed to an increased understanding of actor relationships in the network; yet the researcher was well aware that, although this form of communication contains the same verbal content as in real interactions, it lacks the nuance (the inflection) that often accompanies actual interactions[593]. In this context discrepancies can occur between real and online personalities, yet in the study, the actors involved at the high end level of the network had already interacted at a variety

[592] May see note 591.

[593] Merriam see note 501 at 158.

of levels — through meetings, email correspondence, telephone and on a personal basis. Hence the value of other data collection sources used in this study such as observation and the use of research journal entries to support the data collected from interviews and electronic communication.

3.5.4.2 Observation, workshops

Participant observation requires the researcher to be in the field or present in the setting where the project under study is taking place. The challenge for an observer, in this type of situation, 'is to combine participation and observation so as to become capable of understanding the program (setting, participants) as an insider whilst describing the program for outsiders'[594].

The researcher in both case studies was able to observe, and participate in, several strategic planning meetings that were held between DSD, UNICEF and also with HPCA. In addition, she was able to sit in on and observe a selection of the training workshops that were conducted in the field[595] throughout the pilot and training roll-out (Phases 3 and 4). The field notes, memos, diagrams and photographs made by the researcher, formed part of the support data collected for analysis. The field notes were made throughout both of the case studies, as the researcher wrote on her own perceptions and experiences, and of others, noted during the unfolding process.

3.6 Selecting a sample

The participants in the study were representatives of various stakeholder groups involved in the two projects, ranging from national, provincial and local groupings, from government and civil society. The criterion for participation in the succession planning project was determined by NACCA collaborating with DSD and UNICEF. Initially it was decided that professional people, social workers, educators, managers and nurses, would be participant/delegates. As the project progressed, criterion then shifted to include 'appropriate resource people working in the field with OVC and their families'[596]. Thus the choice of research participants was based on decisions made by UNICEF, Street Law, DSD coordinators, HPCA and management at Cotlands.

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[594] Patton see note 506 at 128.

[595] These workshops were held at various sites in nine provinces for the succession planning project and in two sites in Johannesburg, Gauteng for the children's act project.

[596] UNICEF-DSD email correspondence.

Having said this, the researcher also believed that certain key representatives from the high end level of the network needed to be interviewed. The criterion used here was the proximity held by the interviewee/s to both projects, their involvement from the inception to conclusion of the projects and their centrality to the network. With respect to the succession planning project, several interviews were held with the programme director of UNICEF's child protection unit, from the start of the first pilot, throughout each of the implementation phases until and post the end of the project. Additional interviews were held with UNICEF coordinators who were part of the pilot and roll-out phases of the succession planning project. Because interviews with the DSD coordinators proved difficult to arrange as final approval was never received, most feedback from DSD coordinators was a result of observation of meetings and workshops and in the analysis of the email correspondence.

Most interviews were conducted on a one-on one basis and where an interviewee was unable to meet, a telephonic interview was arranged. For the children's act project, as only Cotlands Children's Hospice (Cotlands) was the participating organisation, interviews, focus group discussions and surveys were carried out with all workshop participants. Cotlands participated in the workshops because of its affiliation to the HPCA. A number of informal interviews were therefore also carried out with the project manager from HPCA. For both the succession planning project and the children's act project, most focus group discussions were conducted at the start and end of the pilot phase and also during the first roll-out phase of the succession planning project.

3.7 Analysis of qualitative data: General observations

Analysis, in qualitative research, is not about reducing data to a numerical value, its objective is to discover meaning through characteristics, the words and experiences that are collected through interviews, focus group discussions and documents, such as electronic communications and minutes of meetings.

3.7.1 Qualitative data: Non-linear analysis process

The qualitative research process, in this study, was not linear in its application[597]. Whilst the two case study projects progressed through each stage of implementation, analysis

[597] Merriam see note 501 at 165.

had already begun on the data gathered from the focus group discussions and early interviews. The researcher gathered and analysed data in order to find direction for the next phase of the project. Merriam says '(e)merging insights, hunches and tentative hypothesis direct the next phase of data collection, which in turn leads to the refinement or reformulation of questions and so on'[598].

This is not the case with the pre-and post-test surveys (including the workshop evaluation form) as they are quantitative in nature. Their purpose was to quantify the impact of the case studies on the OVC, provide a measure of the extent of the implementation network and evaluate the success of the studies on the target audience of OVC. This was particularly the case for the succession planning project where a large and extensive network of delegates was available for evaluation.

This section (Section 3.7) examines the analysis of the qualitative data. Collection and analysis of the quantitative survey data is described in Section 3.8.

3.7.2 Qualitative data analysis

As the analysis of qualitative data is an interactive process throughout a research study, the approach adopted in this research was dynamic and emergent in nature. Thus, in order to ensure the appropriate management of the data gathered, particularly as both projects evolved over a lengthy period of time, a coding system was developed so that specific pieces of data could be retrieved later down the line. To do this, common trends, challenges, issues and comments were highlighted on an on-going basis. The preferred method selected for analysis of the qualitative data was initially, while the data collection and project implementation was still happening, the application of the `constant comparative method of data analysis[599].

This, according to Maykut and Morehouse, was `one way of conducting an inductive analysis of qualitative data'[600]. For this part of the analysis, the researcher constantly categorised data as it was being gathered by the use of coloured pens and highlighters[601]. Ideas were combined, when possible, and gradually common themes and ideas emerged. Often these initial ideas that share a common theme or meaning

[598] Merriam see note 501 at 165.

[599] Maykut & Morehouse see note 514.

[600] Maykut & Morehouse at page 126

[601] The researcher uses journals and mind maps throughout her process of discovery.

become the initial categories, or a focus of discovery. By using a constant comparative method of analysis there is a combination of inductive category coding with a simultaneous comparison of all units of meaning obtained. This meant that the data was analysed throughout the project with the researcher not waiting until the end of the process[602].

Throughout the research the data was checked, categories identified and patterns and relationships established. Maykut and Morehouse point out that, `in this process there is room for continued refinement, initial categories are changed, merged or omitted; new categories are generated; and new relationships discovered'[603]. Merriam points out that this does not mean that once data have been collected, analysis is over, quite the reverse she says and points out that, '(a)nalysis becomes more intensive as the study progresses and once all the data are in'[604].

To then analyse the coded data, such as the interviews, focus groups and documents (email, minutes), the researcher chose to follow a thematic analysis approach aided by the use of thematic networks. Thematic networks are web-like illustrations that assist in summarising primary themes identified in textual data[605]. According to Attride-Stirling, 'thematic analysis seeks to unearth the themes salient in the text at different levels and thematic networks aim to facilitate the structural depiction of these themes'[606]. This is a method of conducting thematic analyses using techniques that are not new to the qualitative research process, the method simply provides an explicit procedure that can assist the researcher in taking data from text to interpretation[607]. The process of data analysis is to systematically build upon the initial basic themes exposed in the original text. The process gradually grows and arranges themes so that they are ultimately depicted as web-like maps illustrating connections and relationships between the various themes extracted from the text.

Attride-Stirling depicts the analysis as step by step process, starting with lowest order premises in the text (basic themes) that then moves to the next level where categories of basic themes are grouped together into organizing themes which 'summarise more

[602] Maintaining an audit trail in a visual way either through mind maps or using of flip charts and cards.

[603] Maycut & Morehouse see note 514 at 134.

[604] Merriam see note 501 at 169.

[605] Attride-Stirling, J. 2001. 'Thematic networks: an analytic tool for qualitative research'. *Qualitative Research,* page 405.

[606] Attride-Stirling.

[607] Attride-Stirling at page 388 & 405.

abstract principles'[608] and finally developing into super-ordinate themes which 'encapsulate the principal metaphors in the text as a whole', global themes[609]. From these three processes a network or web-like illustration can be created that is the tool or the organizing principle that aids the analysis of the text. Using this process, the data gathered in the interviews and during focus group discussions, was organized into thematic networks that were then analysed through the use of the main themes extracted in this process and depicted as a network illustration. Using the themes highlighted in the illustration links and connections are able to be made which finally aids the analysis of the data (Table 3.3).

3.8 Quantitative data collection and analysis

During 2008-2011, the period of implementation of the succession planning project, a large number of participants were trained (1211). In the children's act project training took place over a shorter period of time 2010-2011 with a much reduced number of trained participants (25). As a result, in the succession planning project, surveys were identified as an ideal tool that could be utilised to both measure and scale participant responses and to also gather important and necessary demographical information. The information gathered would be used to measure and demonstrate the outcome of the planned intervention which was to capacitate trained service providers who were working with OVC in communities in all nine provinces, representing both state and non-state actors. This information would assist in identifying the extent of trained and available resources — through a network of support — in appropriately targeted areas, throughout South Africa.

The survey tool was utilised specifically during roll-out One and Two of the succession planning training (Table 3.1). The tool developed for use in the two roll-out periods aimed at assessing and analysing the attendance and involvement of participants in the training programme. Therefore the aim of the survey was to develop a picture of the extent of the resource network created and to thus measure the success of the programme activities and the impact on target OVC communities. To do this the survey questions set about identifying: 1) the district municipal area in which the participants worked and provided help to their target clients (OVC); 2) their affiliation (organisation

[608] Attride-Stirling see note 605.

[609] Attride-Stirling.

or department); 3) their motivation and interest in the workshops and a willingness to use the knowledge gained.

The best way to ascertain the overall outcome of the training programmes that were rolled-out after the pilot, during 2009-2011, was in a geographic information system (GIS). A GIS can be used to store, display and analyse quantitative data that has a spatial component to it. It has the added benefit of being a useful management tool for, in the case of this study, evaluation of certain aspects of the project, such as targeting of trained participants and OVC problem areas.

The decision to use GIS in the analysis of the survey data gathered was based on the fact that, like social network analysis, it is able to 'intuitively represent complex systems'[610]. It has the ability to convey information in a concise and compelling manner and was thus viewed as an ideal tool to evaluate an extensive community based programme such as the succession planning project. As Curtain points out, '(n)etwork data structures were one of the earliest representations in geographic information systems (GIS), and network analysis remains one of the most significant and persistent areas of research in geographic information science (GIScience)'[611]. In this study the decision to include GIS was not simply about using maps to visually display the data gathered. In the study GIS is seen as a tool that could be used to layer and analyse the data gathered so that information was displayed in a new and meaningful manner where outcomes could be tracked visually. The unique nature of GIS lies in its capacity to perform complex functions where information is combined from various sources in order to derive meaningful relationships[612].

3.8.1 Quantitative data collection

The first stage in a GIS is deciding on the map preparation methodology. This is dependent on what is to be shown and how it is to be represented on the maps. Data is then digitally captured based on these criteria. This requires preparation of the raw data into a form that can be loaded into a GIS and manipulated to create thematic maps for spatial analysis. Location information is essential and this ties into whether data is represented as point, line or area features.

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[610] Curtin, K. 2007. 'Network Analysis in Geographic Information Sciences: Review, Assessment and Projections', *Cartography and Geographic Information Science,* page 109.

[611] Curtin see note 610 at 103.

[612] Policylink & LISC. 2002. *Mapping for Change: Using Geographic Information Systems for Community Development,* page 2.

Base maps provide a background reference for features. In the case of the succession planning project the base maps are of South Africa with administrative boundaries at province and district municipality level. Base map features include: point data such as town and city locations; line features which define the South African border and coastline and the province and district municipal boundaries; and area features such as province and district municipal areas. With these base features it is possible to create thematic maps using the succession planning participant survey data. Once the participant survey feature representation is defined and located descriptive attributes linked to a feature may be displayed on the base maps to create thematic maps.

The glue that holds a GIS together is location. Therefore, in order to compare maps it is necessary that they use the same coordinate system. World Geodetic System 1984 (WGS84) is a commonly used global coordinate system, that is linked to Global Positioning Satellite (GPS) coordinates. This was used for locating the data captured as gazetteer GPS data are readily available. However, WGS84 uses spherical coordinates while projected maps — flat surface, are necessary for measurement and spatial analyses. One of the main projected systems used in South Africa is the Albers Equal Area conic projection using two standard parallels, 18°S and 32°S with a central meridian at 24°E, and the spheroid Clarke1880 datum. Spherical coordinates were transformed to the Albers projection in the GIS software[613].

Pre-test participant surveys collected over the period of three years, 2009 to 2011, were digitally captured into Microsoft Excel spreadsheets. Data were recorded for each delegate who attended workshops. This included training site and date of Succession Planning workshop attended; sphere of influence / or work location — province, district and local municipality, and place (city, town, community); demographics; number of days attended or missed from workshops; organisation or government department; category of organisation — government, non-government or faith based; and some categorical data, such as problems encountered in work areas, experience with succession planning and personal work networks.

Additional data on orphans, available from the Children's Institute (2014) and maternal orphans from UNICEF (2013a and b[614]) were also captured. This was necessary in order to determine the location of the target audience for comparison to that of the

[613] ESRI ArcGIS 10.2

[614] UNICEF 2013a – Province and district municipal data from map. UNICEF 2013b – Maternal Orphans Annual Report.

trained service providers.

The spatial position of features is the key to a GIS so data captured focused on location of training sites, delegates, orphans and maternal orphans and any associated descriptive attributes were tagged on to this position. Training sites are places and are therefore mapped as point features. All that is required to locate them on a map is a GPS coordinate. Delegates may be represented as points through the position of their place of work or as area features through their areas of influence — province or municipal. Orphan data are only available for areas — provincial and, in some cases, district municipal so are represented as areas.

Position data for each delegate are based on place of work — city, town or community, named by the delegate. Where these data were not available the delegate's municipal centre was used to give an approximate location. Where no place or municipal information was available the individual was excluded from analyses but included in total counts such as numbers of delegates who attended the workshops. The descriptive attributes captured included training site and date of Succession Planning workshop attended; area of influence or work location — province, district and local municipality, and place (city, town, community); number of days attended or missed from a workshop; demographics; organisation or government department; category of organisation — government, non-government or faith based; and some categorical data based on answers to questions in the pre-test participant surveys.

Descriptive attributes for training sites include the place name and total delegates trained at that site. Population data, obtained from the 2011 census (Statistics South Africa), Children's Institute (2014) orphan data and UNICEF (2013a and b) maternal orphan data are represented on maps as area features — province and, where available, district municipal location. The associated descriptive attributes are population or orphan counts per province or district.

In order to load area features into the GIS it was necessary to prepare base maps with the requisite administrative boundaries. As these boundaries have changed over the time the workshops ran three base maps had to be created, i.e. one each for 2009, 2010 and 2011. Data were eventually combined to create a total result for all Succession Planning training and presented on a map using the current, 2011, administrative boundaries. Transferring point data across maps with different

boundaries does not create problems. Transferring area data is a problem[615]. The affected areas are shown in Figure 3.3.

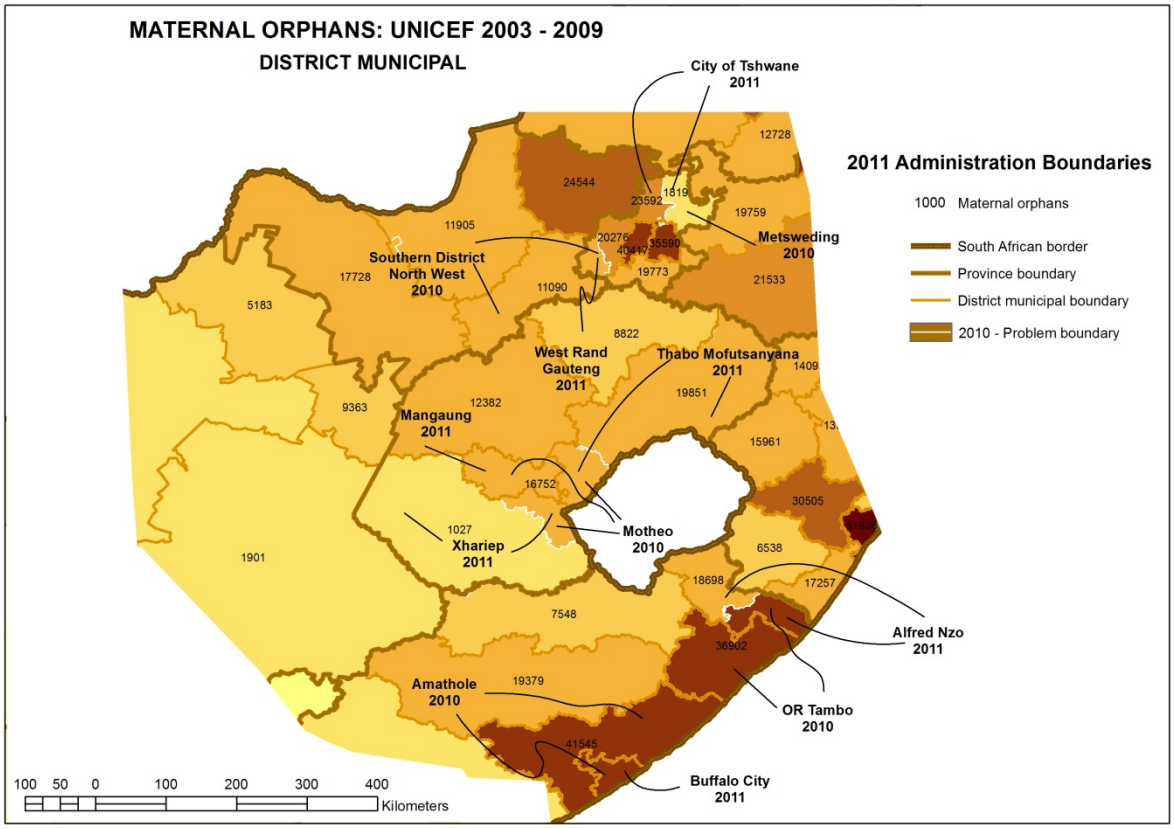

Figure 3.3: Difference between the 2010 and 2011 province and district boundaries overlain on 2010 maternal orphan data in the succession planning project

The maternal orphan data modified to 2011 boundaries was determined by calculating the proportion of the area that changed versus the original area. This ratio was multiplied against the orphan count in the area and the number calculated reassigned. This calculation is based on the assumption that orphans are uniformly distributed throughout the districts it is therefore a broad approximation. The only variation to this method was used for Buffalo City. It was observed that maternal orphan numbers tend to be higher in metropolitan municipalities that in the surrounding regions. A factor was calculated for Nelson Mandela Bay and eThekwini using the ratio of the metropolitan orphan numbers to those in the surrounding districts. Based on this an empirical factor was then used to determine the maternal orphan numbers for Buffalo City. Again these data are gross approximations.

[615] The Modifiable Areal Unit Problem (MAUP). Fotheringham, A. & Rogerson, P. 1993. 'GIS and spatial analytical problems', *International Journal of Geographical Information Systems*, 7 (1). page 3-19.

The internet was used to search for GPS coordinates for places (Wikipedia[616]). Base maps with administrative boundaries from province to local municipal level were obtained from the South African Demarcation board[617] and Map Maker websites[618]. Maternal orphan data was obtained from UNICEF[619].

3.8.2 Quantitative data analysis: background

The second part of a GIS study is to determine the type of analyses that needs to be undertaken? Analysis in this context is used to answer questions such as, is there a pattern to the distribution of features shown on the map? Is this expected or is there some underlying factor influencing the distribution?

Spatial analysis generally follows three stages (Table 3.4): 1) visualisation; 2) exploration; and 3) confirmatory analyses[620]. These stages are iterative and boundaries are blurred but essentially the sophistication of the analyses increases towards the confirmatory stage. Visualisation is a description of phenomena located in space and is used to establish whether the data show any patterns, such as dispersion, clustering or a random distribution. Exploratory analysis is the assessment of spatial data to develop additional meaning. It includes a more statistical approach and may include visual examination of graphs, descriptive statistics and correlation analyses in addition to map evaluations such as cluster and hot spot analyses to define whether there is a locus to a problem area[621]. After visual examination and exploring and measuring data there should be enough information to establish an explanation, or hypothesis, for the patterns perceived. The final stage, confirmatory analysis, is a rigorous test to establish the accuracy and predictability of the hypothesis. Not all studies use this final stage. Confirmatory analysis includes statistical methods and model building to test the predictions of the hypothesis. These stages are summarised in Table 3.4 and compared to stages used in qualitative analysis. The stages in both types of analyses are similar and focus on establishing an explanation for the

[616] http://en.wikipedia.org/wiki/Provinces_of_South_Africa

[617] http://www.demarcation.org.za/index.php/downloads/boundary-data

[618] http://www.mapmakerdata.co.uk.s3-website-eu-west-1.amazonaws.com/library/stacks/Africa/South%20Africa/index.htm

[619] UNICEF Province maps 2013 and Annual Report 2013

[620] Robinson, T. 2013. *Lecture 1: Introduction to Spatial Analysis, Spatial Analysis Unit* unpublished lectures; Also Haining, R. 2004. 'Spatial Data Analysis: Theory and Practice', *Cambridge University Press*, Part C The exploratory analysis of spatial data, Chapter 5-7, page181-270; Blasera, A. Sester, M. Egenhofer, M. 2000. Visualization in an early stage of the problem-solving process, *Computers and Geosciences* 26 (1). 57-66

[621] Allen D. 2011. *GIS Tutorial 2: Spatial Analysis Workbook*, pages 257 and 291-305.

phenomena observed.

Table 3.4: Comparison of the main stages in the analysis process adopted for qualitative and quantitative methods in the succession planning project (qualitative & quantitative) and children's act project (qualitative)

Qualitative		Quantitative	
1. Reduction	– Coding – Themes – Arrange themes – Illustrate	1. Visualisation	– Thematic layers – Interpret patterns
2. Explanation	– Describe – Explore patterns – summarise	2. Exploration	– Preliminary statistical analysis – Hot spot analysis – Develop hypothesis to explain pattern
3. Interpretation	Interpret patterns	3. Confirmation	– Confirmatory spatial statistical analysis – Create and test models

For the quantitative method a spatial visualisation and exploratory analysis approach was adopted. Digitally captured data from the surveys were used to plot the work place location of trainees, who attended the workshops, onto maps. These data were then used to show the numbers and distribution of the network of resource people (service providers) at the implementation level. The data displayed includes delegate work affiliations and their location with respect to the target audience of OVC. Visualisation shows the spatial distribution of the network and OVC problem areas while the exploratory analyses establish the validity of these features and their relationships. Correspondence of the results of the quantitative analyses may be used to test the veracity of the qualitative methods as part of the triangulation of data. Interpretation of data collected and examined using a variety of techniques and inclusion of the additional quantitative data enables a robust validation of the conclusions.

3.8.2.1 The maps created

As the objective of the spatial analysis is to show the number of NGOs and other service delivery agencies that have been trained in Succession Planning and that the area of influence of the trainees was appropriately positioned to capacitate and assist communities where OVC were prevalent choropleth maps of these features were created. Choropleth maps present quantitative data for visual analysis[622]. These are shaded maps that use the intensity of the shading to display percentages or densities of features and in this way show the distribution of numbers.

[622] Chang, K-S. 2008. *Introduction to Geographic Information Systems* (4th ed), page 185-186.

For delegates to be fully capacitated in Succession Planning they needed to attend the full three day workshop. This was not always the case as many delegates attended only one or two of the days. As partial knowledge may be detrimental to rather than assist clients this is considered an important feature to evaluate and a reliability index was developed to show how many and what areas were reliably covered by trainees with full training and areas where partial training may either not help much or have a negative impact.

The distribution of orphans is shown as this a major feature against which the Succession Planning training is evaluated. Orphan information available from the Children's Institute (2014) and maternal orphan data from UNICEF (2013a) is assessed and the latter was found to be the most useful. This is simply because Children's institute data is available at a province level while UNICEF data can be evaluated at a district municipal level. Province data is too general and simplifies the picture which masks many of the features of orphan distribution and delegate training. District municipal breakdown gives a clearer picture of these features. Cluster and hot spot analyses were undertaken to compare the focus of reliably trained delegate areas of influence versus key orphan problem areas.

3.8.2.2 Distribution of delegates and orphans

Choropleth maps showing where delegates worked at the time training took place were produced. This includes maps showing each of the two phases (roll-outs) of training, 2009-2010 and 2011, and summary maps of all training combining both phases. The information examined includes the location of the training sites, number of delegates trained, their work affiliation and their sphere of influence, i.e. the district municipalities they work within. Maps were produced at province and district municipal scales. As no orphan data are available for local municipal administrative areas it was not possible to create maps at this level.

It is important to normalise data in order to make map comparisons meaningful. Percentages of frequencies of each feature per administrative area and densities of orphans and delegates were used for comparison. Densities were calculated using the counts of the feature being examined divided by the area (square kilometre) of the administrative region. This latter method is considered to give the best results for comparison when population figures and administrative boundaries are being used.

This is because administrative areas are usually of different sizes and densities will give a more accurate distribution of the population being measured while raw data or percentages may exaggerate some areas. For example a large area with what appears to be a large population may actually have fewer people per square kilometre than a small area with what appears to be a small population, e.g. Amajuba has a maternal orphan count of 14,098 and a density of 2.04 maternal orphans per km^2; Thabo Mafutsanyane has 24,981 maternal orphans but a density of 0.75 orphans per km^2; making the latter less of a problem area than the former. However as it is considered important for a relative number of succession planning trained delegates to attend to problems in their regions percentages have been used for direct comparison of orphan versus delegate numbers.

Another feature that affects the patterns in choropleth maps is the classification of the data into classes to be mapped. In most cases the natural breaks method was used. Where displaying 100 % and/or zero values is important a manual alteration was made to the natural breaks to create these additional classes. Wherever possible eight classes were used. Any more and it becomes difficult to distinguish the shading levels associated with each class. The natural breaks method was also used to define orphan and delegate numbers into eight nominal categories, respectively. This was done as an aid to describing the intensity of the problem areas and the relative number of delegates trained to assist in these areas. A frequency distribution graph was used to create classes of numbers of trained maternal orphans, delegates and delegate attendance/non-attendance per district. Eight classes were created for each using natural breaks[623]:

Classes for maternal orphans are: 1) Minor = 999 orphans or less; 2) Very low = 1,000 to 3,999; 3) Low = 4,000 to 9,999; 4) Moderate = 10,000 to 19,999; 5) High = 20,000 to 23,999; 6) Major = 24,000 to 34,999; 7) Severe =: 35,000 to 49,999; 8) Extreme = 50,000 or more orphans.

Delegate classes are: 1) no delegates = 0; 2) very low = 1 to 4; 3) low = 5 to 9; 4) moderate = 10 to 14; 5) moderately high = 15 to 19; 6) high = 20 to 29; 7) very high = 30 to 49; 8) extremely high numbers of delegates = 50 and above.

Delegate attendance categories are based on percentages of delegate days

[623] Also known as Jenks optimisation method. Kang-Tsung see note 621 at 184.

attended: 1) 75.93 to 86.27 % = poor attendance; 2) 86.67 to 88.89 % = low; 3) 90.63 to 92.69 % = moderate; 4) 94.12 to 96.00 % = moderately good; 5) 96.67 to 97.78 % = good; 6) 98.00 to 99.12 % = very good; and 7) 100 % = excellent attendance.

Similarly delegate absence categories are based on percentages of delegate days missed: 1) 0.00 % = no absence or no delegates; 2) 0.88 % = minor; 3) 2.22 to 3.33 % = low; 4) 4.00 to 5.88 % = moderately low; 5) 7.41 to 9.38 % = moderate; 6) 11.11 to 13.33 % = high; and 7) 13.73 to 24.07 % = very high absence.

These classes are used in all district distribution maps. Different intensities of shading equates to each class with, in the case of delegates, white indicating no delegates. The intensity of shading increases with increasing number of orphans, delegates or delegate days attended.

The distribution of orphans in the provinces is also examined using frequency distribution graphs and comparing different orphan types versus total population. Maps of this data show the patterns described by graphs. The distribution of maternal orphans is shown at both provincial and district municipal levels.

Information of delegate work areas is compared to available data on OVC numbers in order to determine how effectively problem areas were targeted. UNICEF (2013a) records include counts for maternal orphans only but these are available at province and district municipal scales. Choropleth maps of all data were created. Province scale OVC maps were compared to province scale training maps and similarly district municipal to district municipal scale maps. It is not possible to compare different administrative areas because of the way data are aggregated. Different features are highlighted at each scale and conclusions determined at a particular level of aggregation are not transferable to a dissimilar level — the ecological fallacy problem[624].

3.8.2.3 Effectiveness and impact of training

Delegate proficiency was mapped by using reliability indices. Indices range from 1 to 0 and were calculated based on the number of days delegates attended the workshops — attendance of 3 days has an index of 1, 2 days of 0.5 and 1 day 0.1. Numbers of delegates per district falling into each of these three categories were multiplied by the

[624] Wrigley, N., Holt, T., Steel, D. & Tranmer, M. 1996. 'Analysing, modelling and resolving the ecological fallacy'. In: P. Longley, & M. Batty (eds), *Spatial analysis: Modelling in a GIS environment,* page 25-40.

respective indices and the totals summed to establish reliability of delegates' training per district. Unreliable delegates were also mapped but this measure was based on the counts of delegates who only attended 1 and 2 days of the workshops — their knowledge is imperfect and may lead to incorrect information provided to clients. A few of the very earliest workshops took place over only two days. To simplify data analysis and make it comparable for all workshops delegates were assumed to have missed only one day of a workshop if they were absent for one of the days.

Moran's I autocorrelation analysis[625] was performed on both delegate and maternal orphan distributions to establish the nature of their patterns. Both were found to have a clustered pattern. To determine the value of the clusters local Moran's I and Getis Ord Gi* hot spot analyses were run[626]. These analyses highlight areas of high and low counts — hot and cold spots, respectively. The hotspots are used to aid in evaluating whether maternal orphan problem areas were targeted by the training. This is done by matching hot spots of both orphans problem and delegates' work areas. Other techniques used to evaluate this are a direct comparison of numbers of orphans versus numbers of delegates and a mapped comparison of recommended minimum delegate numbers with actual numbers. The recommended minimum number is suggested to be 1 delegate per 1000 orphans. The same maps are repeated with a preferred minimum of 1 delegate per 500 maternal orphans and the results assessed.

3.9 Conclusion

This chapter presented the details of the research design and operationalisation of the research in order to answer the questions that were posed in section 3.3 (page 82-83). While the study was interested in the interconnections between actors in the network it went beyond simply exploring existing interconnections and investigated the content and form (including frequency) of these actor interactions as the two case studies evolved[627]. Because the study was interpretive in nature the method selected was primarily qualitative action research. To ascertain the outcome of the larger case study, in the capacitation of appropriately placed resource people, a quantitative approach was introduced through the use of surveys and GIS analysis.

[625] Allen David see note 621 Chapter 8, at 257-290.

[626] Allen David see note 621 Chapter 9, at 290-305.

[627] These actors, through their combined actions and resources are involved in working toward a common goal.

The advantage of the two projects is they present themselves as ideal sites for a comparative case study. Both sites were initiated by the same high end actors responsible for developing and raising funds for implementation — DSD and UNICEF as lead actors, Wits Enterprise and Street Law (Wits) as technical service providers. Both involved the combination of resources, by state and non-state actors, in order to achieve a common goal. Nonetheless there were also significant differences between the two sites where one site, the succession planning project, was provided with a greater number of resources and support and was therefore able to be implemented throughout South Africa.

The chapter highlights the value of a 'dress rehearsal', in the form of a pilot project, for complex multi-actor studies of this nature. The multi-layered nature of the case study setting called for an approach that was equally layered and diverse in nature. This is indicated through the choice and usage of a variety of data collection instruments that assist in building a picture of the implementation process followed in the case studies and viewed through the lens of the policy network approach.

This chapter also illustrates the researcher's role in the study where, at different points during implementation, the researcher is seen as 'doing the project' as opposed to simply 'studying the process'. The chapters that follow form the focus of this research study. Chapters 4 to 7 provide an in-depth, cumulative analysis of the network policy process adopted in the case studies. The findings pertain to both substantive policy realisation, in terms of the children's rights agenda, and procedural policy making and implementation in relation to the shaping of the networks and their internal workings.

Chapter 4 : Policy Networking on Children's Rights in South Africa

4.1 Introduction

South African children are protected, in theory, by a progressive Constitution and international instruments such as the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of Children (African Charter). As the primary legislative framework for all law in South Africa, the South African Constitution has fundamentally impacted on the development and application of children's laws, policies and practice in the country. In terms of their Constitutional rights children are accorded unique treatment; children carry both the same rights as adults and as children they given rights that specifically apply to them[628]. This is in recognition of the importance that is placed on the more child-focused approach for children in South Africa, where, in terms of the CRC, the African Charter and the Constitution, the best interests of the child are paramount.

The campaign to introduce such unique protections for children, within the legislative and policy framework, started long before democratic change in South Africa. As a result of the denial of children's fundamental rights, during Apartheid, a diverse and wide network of child rights activists came together, in and outside the country, with a shared objective to build and encourage the recognition of children's rights in law and in practice[629]. This network, at the high end level of policy making, contributed extensively toward the inclusion of child rights into the Constitution. It was also responsible for bringing on board a large number of civil society organisations (CSOs) and other stakeholders into the ongoing process of reviewing and redeveloping our legislative and policy frameworks directed at children[630]; particularly focussing on children living in families and communities where there are multiple deprivations as result of poverty and HIV/AIDS. Additionally, due to the combined efforts of state and non-state actors, a Children's Act was promulgated that embodied the key foundational principles of the CRC[631] — survival, protection, development and participation of the child.

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[628] Section 28 of the Constitution of South Africa No 108 of 1996. Also Sloth-Nielsen, J. 2008. A Developing Dialogue – Children's Rights, Children's Law and Economics: Surveying Experiences from Southern and Eastern African Law Reform Processes, vol. 12.3 *Electronic Journal of Comparative Law*, http://www.ejcl.org/123/art123-5.pdf.

[629] Budlender, D., Proudlock, P. & Jamieson, L. 2008. *Developing Social Policy for Children in the Context of HIV/AIDS: A South African case study,* page 23-24.

[630] Abrahams, K & Matthews, T. 2011. *Child Rights Manual: A handbook for parliamentarians,* Cape Town, Parliament of South Africa.

[631] As also contained in our Constitution, the interpretation of which must reflect principles of the CRC.

Through signing and ratifying the CRC (1995) and the African Charter (1999), and through the incorporation of Children's Rights into the Constitution, South Africa committed itself to give effect to these instruments and to implement the principle of the 'first call for children'[632]. This meant that legislative frameworks, programmes and developmental strategies should be aligned to a more child-centred approach where children's rights were prioritised. To do this, South Africa needed to introduce measures so that national children's law and policy 'began to harmonise' with the CRC[633], the African Charter and the South African Constitution. It was therefore imperative that South Africa's existing child law was reviewed and revised so as to reflect a child's rights perspective[634]. At the time the review took place the law was outdated, discriminatory — particularly regarding the unequal allocation of welfare — and confusing, with a multiplicity of laws dealing with various aspects relating to children[635]. It was certainly time for review and change. As stated in Discussion Document 103:

> 'In particular, children, the voiceless members of society, have suffered directly as result of the unequal application of the fragmented laws affecting them. These factors alone provide compelling justification for the reformulation of all law affecting children in a comprehensive, holistic manner. Furthermore, constitutional imperatives and South Africa's international legal obligations … accentuate the necessity of undertaking a comprehensive review of child legislation'[636].

This chapter explores the legislative and policy framework developed for children using a desktop study[637], with a major focus on documentary analysis. It examines the specific strategies and approaches adopted by the high end policy makers in giving effect to a more child-centred, inclusive approach; taking into consideration childhood vulnerability in an environment exacerbated by poverty and HIV/AIDS. Of particular significance to the study is the government's ability[638] to work with other stakeholders from within and across various government departments, civil society groups and international agencies. It is argued that policy development, in complex areas such as

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[632] Republic of South Africa (RSA). 1996. *National Programme of Action for Children Framework* (NPAC). By ratifying the UNCRC (CRC), South Africa was committed to the principle of 'a first call for children'. This means that children's needs are paramount in all matters that relate to children and throughout government programmes.

[633] NPAC see note 632.

[634] Previously the perspective was of parent and state power over child now children have specific rights and protections.

[635] South African Law Reform Commission (SALRC). 2002. *Review of the Child Care Act.* Discussion Paper 103, Project 110, page 11.

[636] SALRC see note 635 at 1.

[637] Interviews were held with key stakeholders. Stakeholders were identified either through the desktop study or as a result of their involvement in the project planning.

[638] Encompassing a willingness and capacity to work in an integrated and cooperative manner with actors from other institutions.

the protection of child rights, child vulnerability and poverty, has changed. The traditionally centralised approach of the past, when confronted with such complex problems, can no longer remain the sole concern of government. The value of the policy network approach is that consideration of complex social problems takes place within and across communities, involving an array of stakeholders. This therefore ensures that policies developed are relevant; offering a more integrated, holistic response towards the issues being addressed. Thus, in the study, the policy network approach is regarded as the most appropriate tool for analysis when examining the way in which different stakeholders, state and non-state, come together to address complex social problems.

The research commences with an examination of the high end network process adopted by state and non-state actors in the formulation and development of law and policy aimed at protecting children. It concludes with an overview of strategies adopted, both internationally and nationally, in order to address the notion of childhood vulnerability, specifically in the area of HIV/AIDS. To do this a study was made of documents from various committees and commissions including the Lund Committee and Taylor Report[639]; a report from the South African Human Rights Commission (SAHRC) and the South African Law Reform Committee Review[640]; memos and emails from civil society organisations and international agencies, articles, discussion papers, conference recommendations; Policy Frameworks (National and International), National Programmes of Action for Children and Orphans and Vulnerable Children (OVC) [641] and strategic objectives and programme evaluations. The document review was supported by one-on-one interviews with representatives from CSOs and from an international agency, UNICEF. The intention of this first part of the study was to answer the primary research question which examines policy making at the high end:

> How and with what effect do institutions, such as the DSD, UNICEF, NACCA[642] and stakeholders from civil society, work together to realise the substantive policy objectives as anchored in the principles of the Constitution and situated in the field of childhood poverty and vulnerability?

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[639] Department of Welfare. 1996. *Report of the Lund Committee of Inquiry on Child and Family Support*; Taylor, V. Committee of Inquiry into a Comprehensive Social Security System for South Africa. 2002. *Transforming the Present – Protecting the Future: Consolidated Report*.

[640] SALRC see note 635.

[641] SALRC.

[642] For both public and private institutions.

4.2 Culture of child's rights activism

This section provides an analysis, largely descriptive, of the path followed by a network of organisations involved in developing a strong child's rights agenda in South Africa.

4.2.1 History of child's right movement: The influence of civil society networks

Over a period spanning more than 30 years, numerous highlights mark the progress made toward the adoption of a more child-centred approach in policy and law. In South Africa, this process of development and change culminated in the incorporation of children's rights into the Constitution and ultimately influenced the radical changes to child legislation. Commencing in the mid to late 1980s and early 1990s, the existing child rights movement began to gain notable momentum outside and within the borders of South Africa[643]. These children's organisations emerged in response to the fundamental denial of children's rights during the time of apartheid.

During apartheid, children were arrested and imprisoned, education was unequally divided amongst racial groups and the family unit destroyed as a result of a migrant labour and the homeland system[644]. This was a time when children 'lost their capacity to be children'[645] as they became 'both liberation heroes and victims'[646]. In the SAHRC report it states, '(t)he killing of Hector Peterson most commonly represents the image of children in the struggle against Apartheid'[647]. During this time NGOs, such as Street Law, and various children's organisations, such as Molo Songololo[648] began to develop programmes aimed at the protection and advancement of children's legal and human rights. Yet, even though these organisations shared a common goal and intention, they often dealt with these complex issues in a localised manner neither collaborating nor coordinating their individual approaches[649].

The Street Law project started in the mid-1980s in response to the ongoing arrests of youth and children in South Africa. The project aim was to address the lack of awareness about legal rights or processes. Children and youths in church groups and

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[643] Rama, S. & Bah, S. 2000. *Monitoring Child Rights in a Society in Transition: The Opportunities Afforded by a Transformed Statistical Agency and the Culture of Child Rights Activism.* http:/www.statssa.gov.za/publications/…/DiscussChildRights.pdf last accessed 29th July 2014.

[644] Dutschke, M. 2007. *Defining children's constitutional right to social services.* Project 28, page 3.

[645] The Presidency the Republic of South Africa/UNICEF. 2009. *Situational Analysis of Children in South Africa,* page 1.

[646] The Presidency/UNICEF see note 645 at 1.

[647] South African Human Rights Commission (SAHRC). 2000. *Toward the Development of a Focal Point for Children in the SAHRC,* page 3.

[648] Founded in 1979 and was responsible for bringing together children in order to develop the Children's Charter.

[649] Abrahams & Matthews see note 630 at 10.

from independent schools began to attend workshops conducted by law students, who were studying at universities where Street Law was being offered[650]. These workshops initially focused on basic legal information relating to a person's rights on arrest and imprisonment. The focus then shifted to providing information on a number of legal areas relating to both criminal and civil law and finally focusing on the institutionalisation of human rights and democracy within schools and universities[651].

A highlight of the Street Law Project was the Youth Parliament Programme. Youth Parliament brought, from each of the nine provinces, a selection of learner representatives from schools involved with the Street Law programmes in their region. Annually approximately 90 to 100 learners would be transported to a location such as Howard College, University of KwaZulu-Natal or the University of Cape Town, where they would participate in a week long Space Colony Programme. The programme involved learners in negotiating a Constitution for a fictitious Space Colony; culminating with the ratification of a final Space-Colony Constitution, in Parliament. Many of the issues — relating to discrimination, freedom of speech, the rights of women, children, and the disabled, or voter representation — were pertinent to issues facing South Africa at the time and often processes happening in South Africa were mirrored during Youth Parliament (such as a walk out by one group from the negotiating table, at the same time as this was happening at the World Trade Centre). Smart spoke about advocating for increasing child or learner participation through creating 'bodies such as the "children's parliament" for deliberating on children's issues and to act as a forum for children's advocacy activities'[652].

During the late 1980's and early 1990's, Street Law became established within several universities[653] having, as its primary objective, the demystification of law in order to improve access to justice for all in South Africa. Like most other organisations, at the time, Street Law operated primarily through a national office — with sub-units or programmes based at a number of South African universities. Core funding for Street Law, including the university programmes, came from international donors and most partnerships that existed with other organisations were temporary and funder driven.

Clearly therefore Street Law, like many other NGOs, did not closely collaborate with

[650] Previously the University of Natal (now UKZN), University of Western Cape (UWC) and University of the Witwatersrand (Wits).

[651] Axam, T. 2001. 'A Model for Learning and Teaching Rights and Responsibilities in the New Legal Order', 17, *SAJHR,* page 404.

[652] Smart, R. 2003. *Policies for Orphans and Vulnerable Children: A Framework for Moving Ahead,* Policy, USAID, page 18.

[653] At the height of its work it was a programme based in 17 universities across South Africa.

other organisations in an integrated and coordinated manner. Many of these organisations were in fact competing with one another for donor funding from international donors such as USAID and the European Union[654]. Stakeholders, in partnership with Street Law, shared limited resources and although they had a common goal — building knowledge and capacity — the partnerships developed were not sustainable. Many of the relationships formed focussed on specific, funder-driven agendas that were temporary and utilised contacts made with specific individuals within organisations, as opposed to growing long term interorganisational relationships.

Furthermore the monitoring and evaluation systems that were in place were there as part of the reporting requirements of funders. This meant that the data being gathered focussed primarily on determining attendance numbers and gave only a thin descriptive analysis of the training being offered. An in-depth analysis and evaluation of the impact and substance of the training taking place at the various street law sites, was seldom if ever carried out in a comprehensive and sustained manner.

During the late 1980s, NGOs and CBOs, like Street Law, were becoming increasingly aware that many of the practices adopted during the Apartheid period, needed to change. In response to the broad shifts taking place within the country there was a realisation that organisations themselves needed to adapt and adjust to a more democratic form of operation. This called for a shift from the previously more traditional, centralised, ‘silo approach’, followed by many CSOs, to a process where all parties, institutions and organisations were able to work together in a collaborative, coordinated and sustained manner, in order to solve the multi-layered, complex issues that were confronting South Africa during the time of transformation.

This period marked a time where various organisations started coming together in order to address common concerns and issues relating to child protection and the recognition of fundamental rights for all[655]. One notable gathering was a conference, sponsored by Rädda Barnen and held in Harare, Zimbabwe in 1987. The conference was entitled ‘Children, Repression and Law in Apartheid South Africa’ and brought together many organisations in an effort to both highlight the plight of children living within apartheid and to offer solutions to the challenges that these children faced[656]. A progressive conclusion coming out of this gathering was the development, by the delegates, of a

[654] Street Law was primarily funded, at this time, by USAID.

[655] Rama & Bah see note 643.

[656] Abrahams & Matthews see note 630 at 10.

child rights agenda for South Africa[657]. This ultimately led to the formation, three years later in Botswana — with the assistance and involvement of UNICEF — of the National Committee on the Rights of the Child (NCRC)[658]. Thus marking a time for the consolidation and coming together of civil society organisations[659] (CSOs) who shared a common intention and goal to address the issue of children's rights in South Africa[660].

In addition, amidst the various conversations relating to the importance of realising children's rights, and the call to adopt a more child-centred approach, there grew an increasing awareness that any discussion on child rights needs to take cognisance of children's voices[661]. The call for recognition of a child's right to participate in decisions affecting him or her became an integral part of the development of an inclusive, child-centred approach[662]. This was highlighted in 1992 when Molo Songololo held an *International Summit on the Rights of a Child* in South Africa (Children's Summit). The NCRC, as part of the NPA, was instrumental in organising the Summit in 1992 and later on in 1995[663]. During the initial summit, over 200 children were involved in drawing up and adopting a Children's Charter where children called for their rights to be respected and their views to be considered regarding issues that affect them and their future[664].

The power of the Children's summit lay in the fact that, in addition to considering the views of the children, children were also involved in taking decisions regarding the process and the discussions adopted. As stated in the SAHRC paper:

> 'At the first National Children's Summit in 1992, the children came prepared and briefed, ready to discuss relevant issues. They did not have very long 'working' sessions and they chose representatives to present and give a summary of the SA Children's Charter they had drawn up, to the adult delegates, on the International Conference on Children's Rights. The Charter became part of the Conference papers, and was considered as an important document in the process of drawing up the new SA Constitution. Children also planned and carried out local actions based on their experiences...'[665].

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[657] The Presidency/UNICEF see note 645 at 27.

[658] April 1990.

[659] After after a number of meetings with members from the Mass Democratic Movement, NGOs and UNICEF.

[660] Abrahams & Matthews see note 630 at 12.

[661] Smart see note 652: Child participation is a key principle in the CRC.

[662] Moses, S. 2008.'Children and participation in South Africa: An overview'. *International Journal of Children's Rights.* 16, page 327-342.

[663] Abrahams & Matthews see note 630 at 13. Also SAHRC see note 647 at 64.

[664] The Children's Charter. The Natural Child Project. www.naturalchild.org/advocacy/south_africa/childrens_charter.html last accessed 5th November 2014.

[665] SAHRC see note 647 at 63.

This meant that the Children's Charter came out of a process that recognised and successfully applied the notion of child participation and inclusion. This same participatory approach was later followed and encouraged in the National Programme of Action for Children (NPA) and was adopted by the SALRC whilst developing the new Children's Bill[666]. As mentioned in the 2000 review 'because South African children during the liberation struggle seized space and demanded that they be heard, the NPA strongly encouraged the participation of children. Due to their outspokenness, children's voices were heard during the transition period, and children continue to play an important role throughout South African society and in the NPA'[667].

This was a period marked by stakeholder activity, at a national and international level, all working toward the recognition and protection of children's rights[668]. In 1990 the first UN World Summit for Children was launched[669] where the attendance of 159 countries and 71 heads of state was noted as unprecedented[670]. Whilst the international community committed itself to 'a world fit for children' and signatory states were called on to develop national action plans for children[671], in South Africa various groupings began coordinating their efforts into recognizable networks[672]. These networks identified key actors and strategies needed to further the cause of children.

In 1993 South Africa's first situational analysis of women and children was launched by NCRC and UNICEF at a conference entitled, 'The State of the African Child: an Agenda for Action'[673]. Here it was acknowledged that there was 'a pressing need to alleviate the plight of South Africa's children'[674]. Out of the nine key declarations made, came a call for the establishment of a National Programme of Action for Children[675]. The NCRC and UNICEF were mandated to oversee and follow up on the process and they, along with

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[666] SALRC see note 635.

[667] UNICEF. 2000. *Situational Analysis*; Department of Social Development. 2000. *Review of National Programme of Action*. One concern, of late, is this child participatory momentum has been lost and once again relegated to the side, whilst adults make decisions for children.

[668] Abrahams & Matthews see note 630.

[669] Hulme, D. & Fukudu-Parr, S. 2009. *International Norm Dynamics and 'the End of Poverty': Understanding the Millennium Development Goals (MDGs),* page 10. As stated, 'Jim Grant, the Executive Director of UNICEF at the time, spent decades researching, writing and campaigning to end poverty.

[670] Hulme & Fuduku-Parr see note 669.

[671] De Bruin Cardoso, I. 2010. *National Plan of Action for Orphans and Vulnerable Children. Establishing, reviewing and implementing National Plans of Action for Orphans and Vulnerable Children in Southern and East Africa: Lessons learnt and challenges.* A workshop held in Pretoria. Save the Children, page 8.

[672] Abrahams & Matthews see note 630.

[673] The Presidency/UNICEF see note 645 at 3.

[674] The Presidency. 1999. National Programme of Action: 2000 & Beyond. www.children.gov.za/Publications/policies2.htm last accessed 5th November 2014.

[675] The Presidency. NPA see note 674.

the NCRC's fourteen regional committees, proceeded to work on the NPAC outline[676].

A task team was subsequently appointed in 1994, after a conference held with broad based representation from civil society and where the progress of the NPAC was discussed. This task team — drawn from the NCRC, UNICEF and organisational representatives from across South Africa — was tasked with the responsibility of developing the NPAC outline in preparation for the new Government[677].

Around this same time the then president of the ANC, Nelson Mandela, was identified as a champion for children's rights. This meant that by the time a multi-party government was in place, the strategically networked and coordinated actions of CSOs contributed to ensuring that South Africa's Interim Constitution[678] contained provisions aimed at protecting the rights of children. President Mandela's government was also committed to embedding human rights into South African policy and law[679]. And, during this time of transformation and reform, Mandela sent a strong message out into the world[680] highlighting the importance of upholding and protecting children and their rights; this same message was presented throughout and beyond his presidency.

In June 1994, with a new democratic government in place, President Mandela was presented with the outline of the NPAC which the NPAC Committee Task Team had developed[681]. Incorporated in the document was a section on children's rights, closely resembling the rights as contained in the CRC[682]. To show his intention of fulfilling the promise 'to put children first', Nelson Mandela as the newly elected president of a democratic South Africa, stated that the Government would prioritise children's rights at the highest level[683]. The NPAC was envisaged as the mechanism whereby policies and plans, developed by all spheres of government and civil society, would be integrated, sharing the common purpose of prioritising the well-being of all children[684]. The NPAC was subsequently approved by the Cabinet[685] and in 1996 the Government officially

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[676] Rama & Bah see note 643 at 5 of 13.

[677] Rama & Bah at page 6 of 13.

[678] The Interim Constitution of South Africa No.200 of 1993.

[679] Van Donk, M. & Pieterse, E. 2004. 'Contextual Snapshots: Development Challenges and Responses during the Transition'. In: E Pieterse & F Meintjies, *Voices of the Transition: The Politics, Poetics and Practices of Social Change in South Africa,* page 40.

[680] Mandela, N. *Statement on International Children's Day 1 June 1994* http://www.anc.org.za/show.php?id=3662 last accessed 5 November 2014.

[681] Rama & Bah see note 643 at 6 of 13.

[682] The Presidency/UNICEF see note 645 at 3.

[683] Abrahams & Matthews see note 630 at 15.

[684] The Presidency/UNICEF see note 645 at 3.

[685] Overseen by an Inter-Ministerial Committee housed in the Department of Health and which later moved to the office of the Deputy President.

launched the NPAC with several provinces also launching a Provincial Programme of Action (PPA) within their regions[686]. A brief outline of this historical development is summarised in Table 4.1 below:

Table 4.1: History of Children's Rights movement from 1980-1996
Source: Adapted from Child Rights Manual [687]

Year	Key event
1980's/90	Strong rights movement inside and outside South Africa
April 1990	National Committee on the Rights of the Child formed in Botswana (NCRC)
1992	Children's Summit held and Children's Charter adopted (Summit organised by NGO Molo Songololo)
1993	Interim Constitution of South Africa – opened the door on the protection of child's rights
1994	President Mandela presented with outline of National Programme of Action . A promise is made to prioritise children's rights at the Highest Level.
1995	South Africa ratified the Convention on the Rights of the Child (CRC)
1996	Final Constitution of South Africa – Enshrines Children's Rights in S 28
	Cabinet approved National Programme of Action Framework

A key feature of the NPAC is that its formulation can be directly attributed to a group of NGOs and other strategically placed CSOs. By the time the NPAC was entrusted to Government for implementation, a process was already in place[688]. And, as stated in the review of the National Programme of Action, 'The NPA 2000 & Beyond':

> 'It is now, as the government moves forward with the continuing task of creating an enabling environment for the fulfilment of child rights, to build on the experiences, lessons and comparative advantages of both government and NGOs. It's time for government and civil society to sharpen their strategies, and re-pledge their commitment to the future of the programme of action[689] … Of course, all sectors — NGOs, government, community-based organisations, international institutions and the public-at-large — must be involved on a multitude of levels. Only then will children really be 'put first'[690].

[686] The Presidency. NPA see note 674. in 1996 the Government officially launched the NPA with several provinces also launching a Provincial Programme of Action (PPA) within their regions in 1996 the Government officially launched the NPA with several provinces also launching a Provincial Programme of Action (PPA) within their regions

[687] Abrahams & Matthews see note 630 at 11.

[688] The Presidency. NPA. See note 674.

[689] The Presidency. NPA.

[690] The Presidency. NPA.

4.2.2 The process from (NCRC) and beyond: the role of networks in mainstreaming children's rights

In Botswana in the 1990s, NGOs and CBOs came together to form the first South African national umbrella body — working in collaboration with UNICEF — that focussed on promoting the rights of children[691]. This structure was called the National Committee on the Rights of the Child (NCRC) and was pivotal in ensuring that children's rights were entrenched in South Africa's interim and final Constitution and also contributed ultimately to the finalisation of the NPAC[692]. Additionally, this network of CSO actors also ensured that, when addressing major political parties in the country, children were prioritised. Their focus was on a number of key areas such as: encouraging the participation of children in a 'real' manner by giving children a platform and a voice; bringing together experts from all over the country to provide input on children's rights, specifically for the Human Rights Committee of the Constituent Assembly; carrying out mandate to work on a NPAC in South Africa[693].

After government had committed itself to the NPAC, the responsibility for overseeing its implementation then shifted from civil society to government and, in 1995, as President of a democratic South Africa, Mandela then set about establishing a Technical Steering Committee of Ministers mandated to develop and coordinate the implementation of the NPAC for South Africa. This steering committee consisted of directors-general of eight nominated ministries, representatives of the nine provincial governments, the National Children's Rights Committee (NCRC), the Human Rights Commission (SAHRC), the Youth Commission, UNICEF and civil society[694]. The responsibilities of the National Programme of Action Steering Committee (NPASC) ranged from identifying plans, coordinating and evaluating programmes, submitting periodic progress reports to Cabinet as well as fulfilling South Africa's compliance obligations under the CRC[695]. The focus of the NPAC was on seven key policy priority areas, the same areas that South Africa was mandated to report on in their country report for the CRC[696] which are: infrastructure, special protection measures, education, child and maternal health,

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[691] Rama & Bah see note 643 at 4 of 13; Abrahams & Matthews see note 630 at 12.

[692] Abrahams & Matthews at page 13; Rama & Bah at page 5 of 13.

[693] Rama & Bah at page 5 of 13.

[694] The Presidency. NPA. see note 674. These committee representatives from the various ministries and agencies were involved in the promotion of the rights of children as well as the representatives on the committee who were from civil society.

[695] The Presidency. NPA.

[696] Unfortunately, apart from submitting its first CRC report, South Africa had failed to provide the 2nd and 3rd reports until 2013. The Department of Women, Children and people with Disability (DWCD), with technical assistance from UNICEF, finally submitted a combined report in 2013.

nutrition, leisure and recreation, and peace and non-violence[697].

The key objectives of the NPAC, as set down in 1996, primarily aimed at providing an operational framework where goals, objectives and strategies were identified and were ultimately reported on to Cabinet[698]. It ensured that programmes, institutions and organisations, focusing specifically on children, were supported and capacitated, and provided technical support and information, advice and resources. As stated in the National Programme of Action: 2000 and Beyond[699] the NPAC provided 'a mechanism for giving children political and therefore resource priority'[700].

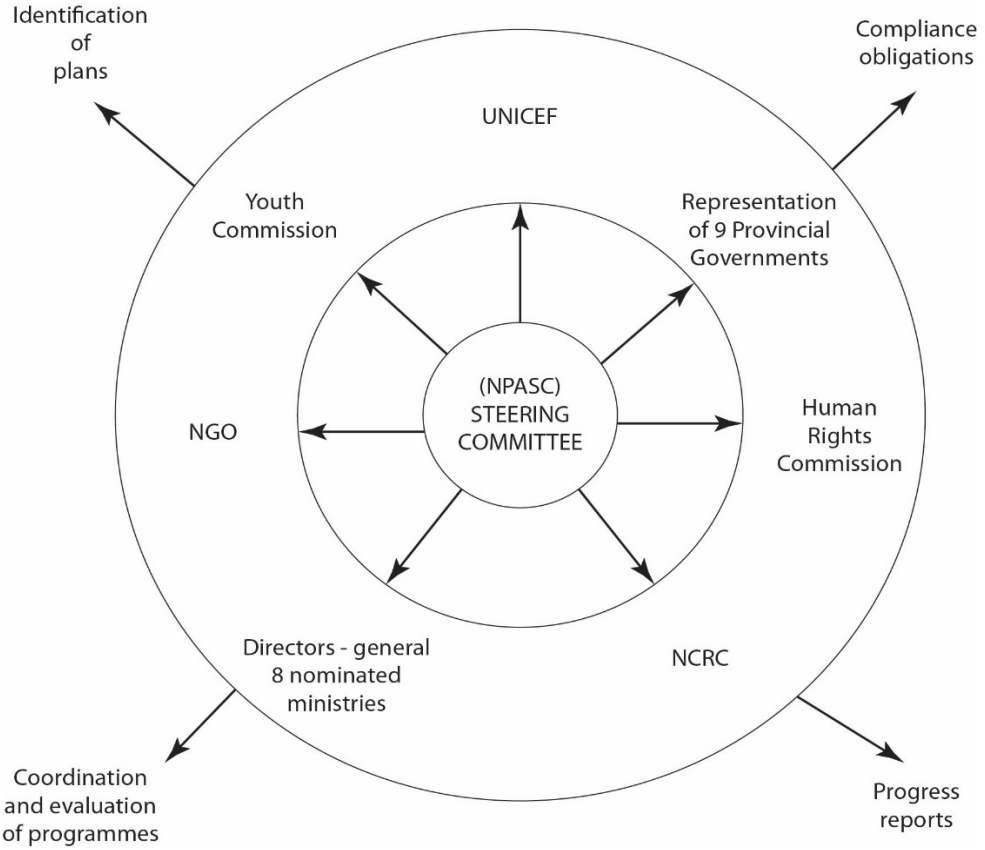

Figure 4.1: The structure and aims of the NPA steering committee

A unique feature of the NPAC was that, in addition to being the first government structure set up for the specific coordination of children's rights (Figure 4.1), it was also a policy framework, a process and not a programme in its own right[701]. This approach differed from NPAs in other countries, where often plans of action are set apart or seen as isolated units. In South Africa a deliberate choice was made to follow a more

[697] The Presidency/UNICEF see note 645 at 3.

[698] The Presidency. NPA. see note 674.

[699] The Presidency. NPA.

[700] The Presidency. NPA.

[701] The Presidency. NPA at page 4.

integrated and inclusive approach[702]; as was stated in the Review of the NPAC:

> 'In South Africa, a consensus was reached that the NPA process would need to be immersed in the broader system of governance and development. That such a programme had to be related to the legislative branch, through structures such as portfolio committees, in the governance and monitoring of the NPA'[703].

A further unique feature of the NPAC was the degree of civil society involvement in both its creation — the development of the NPAC was entirely a civil society initiative — and its implementation, where government took on the responsibility of implementation and civil society was viewed as integral in the implementation process[704]. Furthermore, at the time that the NPAC was established, the objective was to introduce a process that would not replace the overall developmental plans that were currently in place[705].

At this time, government's priority was to ensure that all South African's had access to basic services such as water, health, shelter and food through the government's reconstruction and development plan (RDP)[706]. The role of NPAC was to supplement and integrate any existing social development components, uniting them through a holistic framework that 'integrated programming, organisation and implementation of inter-sectoral programmes for the betterment of the situation of children'[707].

Although the Department of Health (DoH) was initially tasked with the responsibility of coordinating the NPAC, the mandate to guide integration of children's issues onto all government department agendas[708] was too great an obligation for one department acting on its own. It was therefore decided that the mainstreaming[709] of children's issues would be better served if strategically placed outside one department.

In 1998 the NPAC relocated to the Office of the then Deputy President (Mbeki)[710]. Once again, in 1999, the NPAC underwent a further process of restructuring and as a result

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[702] The Presidency. NPA see note 674.

[703] Knutssun, K. & O'Dea, P. 1998. *Supporting the Movement for Children's Rights and Development in South Africa*, UNICEF, South Africa, page 76.

[704] Rama & Bah see note 643.

[705] Rama & Bah.

[706] At the time it was government's Reconstruction and Development Plan (RDP). A plan aimed at redressing growth, poverty and inequality. In order to ensure the integration of children's issues through the RDP process the NCRC seconded a child's rights officer in the RDP office.

[707] The Presidency. NPA, see note 674.

[708] The Presidency, NPA.

[709] Mainstreaming means each government department incorporates children's issues in their respective portfolio.

[710] Rama & Bah see note 643 at 8 of 13.

the Children's Desk was specifically and strategically[711] relocated to the Office of the President[712]. The Children's Office, renamed the Office of the Rights of the Child (ORC), was then tasked with coordinating the NPAC and had lead responsibility over the mainstreaming, oversight and coordination of children's rights. The ORC had equivalent focal persons in each of the Provincial Premiers' offices[713]. Its primary function was to develop the National Policy Framework for the Advancement and Coordination of Children's Rights Delivery in South Africa, in consultation with a National Advisory Council on Children's Rights (NACCR)[714]. The NACCR was the body that replaced the previous NPASC and once again consisted of stakeholders from both government and civil society. Their task was to facilitate the development and update of the framework for the National Programme of Action for Children in South Africa[715]. The same document outlines the following responsibilities of Advisory Councils, at all levels:

1. Advocate for and promote children's rights and responsibilities in the SA society;
2. Promote constitutional requirements and aspirations of Regional and International children's rights instruments;
3. Provide technical support to the ORC;
4. Monitor and evaluate performance on the National Programme of Action for Children in South Africa — including the work of UNICEF and donor agencies[716].

Once again the Children's Office was relocated in 2009 and, for the first time in South Africa, a Department of Women, Children and persons with Disabilities (DWCD)[717] was created as a Ministry in its own right. According to Budlender *et al.*[718], '(t)he Ministry was established as a result of an African National Congress resolution to establish a Women's Ministry. The portfolios of children and people with disabilities were added when the new Ministry was announced by President Zuma'[719]. In their opinion, the main

[711] Abrahams & Matthews see notes 630 at 16.

[712] Rama & Bah see note 643.

[713] With the exception of Gauteng, where the council is housed within the Department of Social Development (cooperative governance 2008, page 40).

[714] The Presidency/UNICEF. 2008. *Situational Analysis of Children in South Africa*, page 3.

[715] Provincial Child Rights Advisory Councils have been/are being established in each of the Provinces, to coordinate and streamline efforts to ensure the realization of the constitutional rights of all children. The National Policy for the Advancement and Coordination of Children's Rights Delivery in South Africa (The Presidency, 2008) also makes provision for Municipal Child Rights Advisory Councils. The Presidency see note 714 at 28.

[716] The Presidency see note 714.

[717] Once again the department has undergone a further change with the introduction of a Ministry of Women. Support for children and the disabled now falls under DSD. (The Presidency. RSA. 2014. *Ministers in the Presidency.* www.thepresidency.gov.za/pebble.asp?relid=462 Last accessed January 2015.)

[718] Budlender, D. & Proudlock, P. 2010. *Child-centered analysis of governments budgets 2010-2012*. CASE/Children's Institute.

[719] Budlender & Proudlock see note 718 at 28.

reason for establishing the department was to overcome the problem faced by such departments when there was a limited or 'lack of necessary authority'[720]. The department does not deliver services, its objective is to `spearhead efforts to address policy implementation challenges`[721]. The focus is on the policy development and its coordination, monitoring and evaluation, while the provincial or local sphere is responsible for service delivery'[722].

More recently this office, with the technical support of UNICEF, introduced a further framework aimed at the development of policies and programmes for children[723]. This framework, the National Plan of Action for Children 2012–2017(NPOC), is seen as a comprehensive plan for government departments and other entities to realise children's rights'[724]. There are five main themes outlined in the plan[725]: The reduction of child mortality; child development; child protection from violence and sexual abuse; standard of living; child participation. The DWCD describes the NPOC as a plan that, 'embraces the Constitution, international and regional treaties, legislation, millennium development goals and the national development plan'[726].

The reality is that, in spite of the earlier successes of the child rights advocacy network, if government and civil society do not continue following the collaborative, cooperative approach used during this time, these earlier gains could be lost. Another problem lies in ensuring that, during implementation, children's issues are not side-lined where, as Smart warns, '(c)ustody of laws, policies, and services for children is often relegated to non-key ministries, or sections of ministries, or spread among a number of ministries with the resulting problems of defining roles and responsibilities'. This too may have an even more negative impact in dealing with issues regarding child vulnerability when 'responsibilities for OVC are often situated within different structures that have little or no history of collaboration, coordination, and communication[727].

[720] Budlender & Proudlock see note 718 at 30.

[721] UNICEF. 2006. *Saving Children Enhancing Lives: Combating HIV and AIDS in South Africa,* page 31.

[722] Budlender & Proudlock see note 718 at 2.

[723] Republic of South Africa (RSA). 2012. *National Plan of Action for Children in South Africa*. Department of Women, Children and People with Disabilities.

[724] Parliamentary Monitoring Group (PMG). *National Plan of Action for Children 2012-2017*, Report of National Woman's Conference, August 2011. https://pmg.org.za/committee-meeting/15327/ last accessed March 2015.

[725] PMG see note 724.

[726] The Presidency. NPA see note 674.

[727] Smart see note 651.

4.3 Legal framework: International and national instruments

South Africa's international and constitutional obligations have placed a responsibility on the government to ensure that the best interests of all children are to be protected. This section outlines the history and development of a comprehensive children's law for South Africa; illustrating the unique role played by a network of actors, from state and CSOs, in the policy making process.

4.3.1 The obligation to protect and care for children in South Africa

The strength of the child advocacy networks that existed prior to and post South Africa's transformation, can be illustrated through the progress made in the development and reform of laws and policies for children within the country. With the growing pressure exerted by advocates for child rights, and faced with issues relating to poverty, the negative impact of apartheid policies on young people and the ever growing burden of the HIV/AIDS epidemic on vulnerable members of society, the call for change could no longer be ignored. Through the strategic use of key stakeholders and networks and the breadth of information provided about the plight of children, the need for an urgent and in-depth review of our existing children's laws was highlighted, '(i)n particular, children, the voiceless members of society, have suffered directly as result of the unequal application of the fragmented laws affecting them. These factors alone provide compelling justification for the reformulation of all law affecting children in a comprehensive, holistic manner'[728].

At an international level South Africa is signatory to a number of instruments, such as the United Nations Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (African Charter). This meant that South Africa has an obligation to harmonise its laws with the provisions contained in the CRC and the African Charter. In ratifying these instruments, South Africa had a duty to both assess its children's laws and make a comprehensive review of all the systems and services that were in place for children[729]. This ultimately meant that the social, economic, legal and fiscal impact of such obligations would have to undergo an extensive review in order to ensure that the responsibilities outlined in the instruments were capable of being accommodated[730]. This also meant that 'African cultural

[728] Sloth-Nielson see note 628.

[729] Sloth-Nielson.

[730] Sloth-Neilson see note 628.

perspectives' needed to be considered and similarly accommodated[731].

From the perspective of the CRC, the responsibility rests with the signatory state to assist families in protecting child rights and in creating an environment conducive to the well-being and development of all children. To achieve this vision, South Africa came to the realisation that a simple amendment to existing law — that was both discriminatory and fragmented — would not do justice to their obligations. Therefore, in order to comply with its international, regional and national obligations, South Africa needed to change its children's law to such an extent that a new law would need to be developed.[732].

The adoption of the CRC, the African Charter and Section 28 of the Constitution have set in motion a process that focusses on the best interests of the child when developing laws, policies, services and programmes for children[733]. This means that, for the appropriate implementation and enforcement of a child-centred framework, a variety of skills and resources will be needed. Government cannot achieve this alone and the importance of building strong civil society partnerships needs to be appreciated and cultivated. Because CSOs, such as NGOs and CBOs, are situated within communities and are able to work quickly, often using a well-established network of community connections, their value to such a process cannot go unnoticed[734].

Such a process can contribute significantly to the increased relevance and accessibility of policies, if developed in a collaborative and networked manner. As indicated in the outline describing the development of a strong child rights foundation for South Africa, this too should be mirrored and used in the future development and application of laws and policies. Rama says, '(a) rights-based approach can rectify many … distortions that have arisen from a crisis-driven response to children affected by HIV/AIDS, poverty, and conflict, and can provide a beacon for moving forward'[735].

4.3.2 Impact of a new legal framework

This section provides an outline of the process followed that led up to the formulation and development of a new children's law in South Africa. It illustrates that, as the

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[731] Kaime, T. 2009. *African Charter on the Rights and Welfare of Children: A socio-legal perspective*.; Also Sloth-Nielson see note 628 at 3.

[732] Kaime see note 731; Convention on the Rights of the Child at http://www2.ohchr.org/english/law/crc.htm

[733] Richter & Rama see note 643 at 10-11.

[734] Michael, S. 2002. *The Role of NGOs in Human Security'*. Working Paper 12, Harvard.

[735] Richter & Rama see note 643.

Children's Bill proceeded through each stage of policy making, a range of non-governmental actors (NGOs) engaged with and impacted on its development.

4.3.2.1 An obligation to change law

More than a decade after South Africa commenced with its programme of legal reform for children, two major initiatives, the Children's Act and the Child Justice Act[736], were finally passed into law. The significance of both of these laws is that they were founded on principles contained in the South African Constitution and on international and regional instruments. Both initiatives focussed on the promotion and protection of children's rights and were developed through a highly consultative process, involving government and civil society at the high end of policy making.

There were in fact three policy-making processes taking place over a similar time period and all processes aimed at improving and protecting the rights and well-being of children in South Africa. The three policy-making processes were: the Children's Bill; the Child Justice Bill, and; the Child Support Grant (CSG). All processes were highly consultative and, 'like the Children's Act both the Child Justice Bill and the Social Assistance Act, more specifically in terms of the CSG, followed a similar process of consultation and civil society involvement prior to their adoption'[737].

The CSG is a policy coming out of the Social Assistance Act[738]. This Act provides the new legislative framework for the realisation of the right to social security and stipulates eligibility criteria and procedures for access to social grants for the elderly, children living in poverty, people with disabilities, children in need of foster care, and people in social distress (vulnerable people). The CSG, the Foster Care Grant, and the Care Dependency Grant are especially important in enabling children's well-being[739]. The process of debate, research and consultation leading up to the adoption of the Social Assistance Act and applicable policies, was important in highlighting the value of civil society involvement in developing legal and policy frameworks. Here evidence-based research and the combined resources of a variety of actors all contributed toward better policy development; factors that were subsequently used during the development of the

[736] Children's Act 38 of 2005, as amended and Child Justice Act 75 of 2008.

[737] Interview with Lucy Jamieson, Children's Institute UCT, 12th May 2011; See Budlender *et al.* at note 629.

[738] The Social Assistance Act No. 13 of 2004 as amended; Budlender *et al*. at note 629.

[739] The Presidency see note 674 at 31.

Children's Act and the Child Justice Act[740].

The value of the lessons learned in the social grant process particularly the CSG certainly alerted civil society to the importance of participating in and using wide resource sharing, highlighting that where challenges exist that are 'so broad they cannot be left to one institution alone'[741].

With respect to the Children's Bill, the process began in 1997 when the then Minister of Justice requested a review of the existing Child Care Act[742]. After adopting a new Constitution, becoming signatories to the CRC and the African Charter, the South African government was obligated to follow a child-centred, child rights approach in amending or developing its legal framework. The South African Law Reform Committee (SALRC), in 1998/99, was tasked with the review of the then Child Care Act[743] and, in an effort to avoid approaching the task in a piece-meal fashion, opted to develop a new and comprehensive statute, integrating the state's legal obligations, in terms of section 28 of the Constitution, and the broader child rights framework[744].

4.3.1.2 From Child Care Act to the Children's Act[745]

The Children's Amendment Act was passed into law in late 2007 bringing South Africa's legislative framework, for the protection and care of children's rights, in line with constitutional and International Law[746]. The Act was developmental in approach, emphasising the role of State in providing social services aimed at strengthening the capacity of family and community in caring for and protecting children. The Act builds on more conventional forms of legislation where, in the past, the State would only intervene after the child has already suffered from abuse, neglect or exploitation[747].

The process adopted by the SALRC, from late 1998/99-2002, was time consuming, taking close on six years to complete. The SALRC chose to adopt a broadly consultative process, holding a number of workshops and consultations with a diverse and wide array of stakeholders. Table 4.2 provides an overview of the lengthy process followed in the period leading up to the development of a new legal framework for

[740] Budlender *et al.* see note 629.

[741] Jamieson interview see note 737; Budlender *et al.* at note 629.

[742] The Child Care Act 74 of 1983 repealed.

[743] The Child Care Act.

[744] SALRC see note 635.

[745] Children's Act No. 38 of 2005, as amended Children's Amendment Act No.41 of 2007.

[746] The Presidency/UNICEF see note 645.

[747] Budlender *et al.* see note 629.

children in South Africa.

Table 4.2: Overview of the development of the new legal framework
Adapted from the parliamentary handbook [748]

Year	Responsible Body	Role/Task
1997 - 1999	South African Law Reform Committee	Review of Children's Law – to develop a new comprehensive state for children
	SALRC	Research, consultation and development of the Bill
2002	SALRC	Released Draft Bill with 26 Chts covering wide range of issues
	Civil Society	Accept New Bill
March 2003	Civil Society	Children's Bill Working Group (Funded)
August 2003	Department & Cabinet	Revised and diluted version of Draft Children's Bill published for comment
Oct 2003	Parliament	Tabled a split Bill – without considering civil society comments
July 2004	Parliament	Debate delayed to after elections as a result of active lobbying by The Working Group.

Initially, the SALRC elected to embark on a programme that aimed at comprehensively reviewing the existing Child Care Act and all other legislation affecting children in South Africa. In this programme all law that affected children, common law, customary law and religious law, was to be reviewed and, as part of the investigation, the SALRC actively included children in the process by conducting a series of focus group discussions[749]. Also, in 2002, the SALRC included, in its consultative process, a number of representatives from government departments, academics and CSOs. The SALRC produced numerous information documents and issue papers and invited the public for comment. At the same time, a network of CSOs provided additional information through the issuing of fact sheets and updates regarding the bill's progress:

> 'Initially there was academic research into the government debates but there was a realization that very few people read academic debates. It was also noticed that 'certain colleagues' had a bigger impact if they worked with others in civil society'[750].

In addition to the research papers and debates, several consultative workshops were held. As pointed out by Jamieson, a well-regarded child advocate from the Children's Institute (UCT), 'this was early democracy when there was still mass consultation taking place and people were engaging actively with democracy'[751]. A further significant point

[748] Adapted from the Parliamentary Handbook, Abrahams & Mathews see note 630.

[749] A growing trend at the time, the SAHRC adopted similar inclusive process in the children's rights programme: SAHRC see note 647 at 64; Also SALRC see note 635 at 13.

[750] Jamieson interview see note 738.

[751] Jamieson interview see note 738.

made, by the SALRC[752], was that through adopting a broadly consultative approach, prior to the Parliamentary legislative process, any existing 'deficiencies and gaps in the draft legislation' could be revealed. It said that such an approach may contribute to a speeding up of the Parliamentary process, '(i)n our experience, insufficient consultation at draft discussion paper stage can actually delay the eventual passage of the legislation in Parliament'[753].

On completion, the SALRC draft Children's Bill contained 26 Chapters covering a wide range of important and relevant issues and CSOs were generally pleased with the draft bill. Their concern was that, because of the breadth of areas being covered, once the bill was ready for tabling in parliament it would be much diluted. Furthermore, such a wide range of issues called for a diverse range of expertise that fell outside the capacity of one organisation acting alone[754]. This resulted in the realisation that, in order to strengthen their stand, civil society needed to begin to campaign with a common voice:

> 'The Children's Bill was huge – the Bill encompassed a wide area of children's issues. SALRC incorporated all Children's Rights ─ it was an enormous load. We needed to: (i) coordinate the campaigns; (ii) deliver common messages with no conflict'[755].

Between 2002 and 2008, the Children's Institute monitored the law-making process and coordinated a strong civil society campaign, sending out regular progress updates that provided details on key debates, amendments and final Parliamentary decisions. These updates helped organisations that needed guidance in interpreting provisions in the bill; the updates highlighted key points and provided evidence behind the Parliamentary decisions. The demand for conducting such a concerted campaign, on the organisations and individuals involved, was great and the length of time that the Children's Bill took to proceed through Parliament came as an unexpected burden, as stated by Jamieson:

> 'There were too many demands now and the Children's Institute and others were not able to deeply engage anymore. ... We realised consultation would not grab attention anymore ─ not for another amendment to the Children's Bill. It's a long process and too tiring. What was apparent was that the initial groundwork led everyone to be aware of government's proposals ─ following on from the social security discussions ─ no one realised that it

[752] SALRC see note 635.

[753] SALRC see note 635.

[754] Budlender *et al.* see note 629.

[755] Conflict arose with respect to inclusion or removal of corporal punishment. Jamieson interview see note 738.

would be 12 to 13 years in the making'[756].

As the burden and size of the bill grew there was a 'realisation that we needed an organisation to drive the campaign based on our learning in the Social Security Campaign'[757]. Jamieson also pointed out that when it came to civil society and the Children's Act there was a need for a different method to the ones that had been used to date. She went on to say that, 'we looked therefore at the Gun Control Alliance model of advocacy. The methodology that was used in these models was built around research, consultation and dialogue with organisations on the ground. The research ranged from quantitative, survey research to the use of case studies and experiential knowledge of practitioners in the field, and children themselves'[758].

In March 2003 the Children's Institute was able to find the funding it needed to coordinate a CSO campaign. This was soon followed by the establishment of the Children's Bill Working Group; after a workshop held in Cape Town and spearheaded by the Children's Institute. According to Jamieson, 'there were 100 representatives there and the campaign hit the ground running. It was very effective although it [the campaign] was very expensive to run'[759]. Membership was open to all. There was a central working group who organised provincial meetings and held content workshops. The working group had to represent all areas covered in the draft bill.

There were also sub-groups responsible for specific areas, made up of experts in the field who oversaw their specific group, such as Jackie Gaullinetti in the Child Court Group[760]. Each sub-group was represented in the working group and each sub-group had a coordinator who had specific responsibilities. The coordinator's responsibilities were to: drive the group; attend and be part of provincial consultations; keep the group and other CSOs informed, and; write discussion documents. How they ran their group was up to each specific group. For example, 'the HIV sub-group had a paid coordinator and some sub-groups raised money to hold workshops and consultations'[761].

Because of the comprehensive nature and cost implications of the draft bill, civil society was concerned that once the SALRC draft was returned to the responsible government

[756] Jamieson interview see note 738.

[757] Jamieson interview.

[758] Budlender *et al.* see note 629; Also Jamieson interview.

[759] Jamieson interview.

[760] Jamieson interview.

[761] Jamieson interview.

department (DSD)[762], government would revise and cut out significant parts of the bill. As anticipated, in August 2003, after going through interdepartmental negotiations, significant changes were made by DSD. After the revised draft was presented for public comment, several submissions were then made by the civil society working group and others. It appears that these submissions were neither considered nor included by government, as the bill that went to Cabinet for certification was the revised August draft, tabled in parliament on the 3rd of October. Government's decision to proceed, without considering or including the submissions made by civil society, has been viewed as one of the reasons why the parliamentary process was extended[763]. This is because of the complexity of the subsequent debate that emerged when civil society presented their case supported well-researched arguments[764].

Additional reasons for bill's prolonged passage through Parliament were that the draft bill included a broad range of issues that concerned functions specifically for the national government and functions for both the national and provincial government. Because of the bill's size it was decided to split the bill into two parts. The split bill created further complications, one part of the bill[765] was ready for tabling pre the next election and appointment of a new government. The second part of the bill[766] would be tabled after elections. The civil society working group lobbied actively for the first bill to also be tabled after the elections. Finally, in response to the strong voice from civil society, the first bill was deliberated upon after the 2004 elections[767].

During the final stages of the bill's development several submissions were made by CSOs, provincial study tours were also conducted by the parliamentary Portfolio Committee on Social Development, and consultations were held with a number of government departments. As a result of the information gathered during this process further gaps and omissions were revealed, and the lack of coordination between different government departments was highlighted. At this stage Parliament called for an inter-departmental meeting so that collective policy decisions could be made[768].

In 2005 UNICEF came in to provide the necessary technical support needed to assist in

[762] Department of Social Development (DSD).

[763] Budlender *et al*. see note 629; Also Jamieson interview see note 737.

[764] Budlender *et al*. see note 629.

[765] Section 75.

[766] Section 76.

[767] Budlender *et al*. see note 629 at 26

[768] Budlender *et al*.

the finalisation of the Children's Bill. In June 2005 the National Assembly passed the amended Children's Bill. This bill went through further deliberations and amendments after passing through the National Council of Provinces (NCOP). Finally in December 2005 the bill was passed by the National Assembly and became the Children's Act 38 of 2005. In 2007 the Children's Amendment Act followed. The Children's Act, as amended, is a significant achievement in law reform, taking South Africa into a new era of child-care and protection.

4.3.1.3 The role of civil society networks in policy making

> 'The Institute also played a phenomenally important role in the Children's Bill process the co-ordination of civil society participation was and continues to be a good practice model, without a doubt'[769].

The process leading up to the development of the Children's Act highlights the concerted action that was taken by civil society to influence policy-making at the high end. It highlights the importance of having a network of actors involved in the development of complex legal frameworks such as the Children's Act and policies such as the CSG. Often, when dealing with complex issues and challenges, the importance of recognizing the role of a collaborative, integrated, multi-actor approach where resources are shared and all actors (government and civil society) work together to achieve a common interest or goal cannot be undermined.

The methodology used by the civil society group was built around a well-researched, consultative, collaborative process involving a large network of organisations working at both the high end and the lower end of a policy network. In the current policy climate, one can see a strong move toward using an evidence-based approach in influencing policy making and implementation. The strength of the approach is highlighted throughout the Children's Bill process and certain networking characteristics are noted:

1. Relationships matter: Advocacy helped when strong alliances with legislatures were formed and strategic partnerships were built, with individual decision makers, in both parliamentary bodies and with government representatives.
2. Communication was fundamental: Communication must be open, knowledge and information must be shared and access to information is improved through the wide dissemination of information. Without this access to information people's

[769] Skelton, A. 2008. *Bills and Acts,* Children's Institute, UCT www.ci.org.za/index.php?option=com_content&view=article&id=491&Itemid=183

voices may be excluded, including those of children. To make information accessible it may need to be simplified or provided in an understandable, reader-friendly or child-friendly manner. Workshops also help to pass on information as do briefings and the distribution of fact sheets.

3. Children matter: Children's voices should be heard and respected. Children should be consulted on issues that affect them. (As then President Mandela said, 'there can be no keener revelation of a societies' soul than the way in which it treats its children').

The various legal reforms resulting from the earlier consultative efforts of the NCRC, UNICEF and others finally achieved what they set out to do, to build a legal framework where the interests of our most vulnerable are a primary focus and where the rights of all children are protected at the highest level. Yet, in spite of the positive legal framework, the rights of many children, particularly in the poorest most rural communities, continue to be overlooked, even denied. The reality is that the development of law and policy is not enough to address the various deprivations encountered by many vulnerable children at grassroots level. The daily struggle of children within families and communities cannot be physically addressed by the simple introduction of a new legal framework. An important component of building the capacity of individuals within communities is in improving their ability to access their legal rights through: 1) improved infrastructure and support; and 2) by providing understandable, accessible information about legal rights and processes so that they are able make use of them. Progressive policies and laws will be rendered meaningless if they remain abstract promises on paper, read by only a few in the know.

4.4 National policy frameworks for OVC: Building policy guidelines and strategic interventions through advocacy networks

When the SALRC commenced with its review of the children's legal framework in 1997, it was against a backdrop of inequality and debilitating poverty, exacerbated by the growing reality of the HIV/AIDS epidemic. Nonetheless, despite the context, the Children's Act remained neutral when defining orphans or children infected or affected by HIV/AIDS. Having said this, there are specific and unique sections in the Act that recognize and protect a variety of vulnerable child groups, such as children in Child Headed Households (CHH), child migrants or children who are disabled or chronically

ill[770]. The Act recognises the role played by both extended family and community in the care of affected children, acknowledging the existence of mentors and caregivers outside of parental care and widening the options for persons who would like to adopt. The Children's Act also encourages the retention of a family unit and in circumstances where this is not possible offers options for alternative care[771].

One of the challenges was to comprehensively address the problems faced by children affected by the HIV/AIDS epidemic. Although the Children's Act aims at broadly addressing the needs of all children in South Africa, there is no clear definition for vulnerability in the context of HIV/AIDS, nor is there provision for services that may be required by children who are orphans or are taking care of terminally ill parent/s[772]. This following section explores the development of policies, strategies and plans — international and national — aimed at addressing the devastating reality that faces countries confronted with HIV/AIDS. The policies and strategies identified and developed here are the strategies that subsequently informed the primary case study on which this research was based.

4.4.1 Policy framework: International strategies addressing childhood vulnerability

> 'For people infected and affected by the epidemic, HIV is not only a medical experience. It is also a social and emotional experience that profoundly affects their lives and their futures. Programming for children orphaned and made vulnerable by HIV/AIDS contributes to the achievement of an AIDS-free generation by responding to the social (including economic) and emotional consequences of the disease on children, their families, and communities that support them'[773].

The growing realization of the impact of the HIV/AIDS epidemic, globally, resulted in the call for action in order to address key concerns, focussing on countries and issues identified as more under threat from the epidemic. This is an epidemic that was described as 'the perfect storm' in the UNICEF RAAAR policy document[774]. A perfect

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[770] Mahery P., Jamieson, L. & Scott, K. 2011. *Children's Act Guide for Child and Youth Care Workers;* Mahery, P. Proudlock, P. & Jamieson, L. 2010. *Children's Act Guide for Health Professionals* (4th ed). www.ci.org.za

[771] Chapter 11 of the Children's Act No 38 of 2005 as amended; Also Mahery *et al.* see note 770.

[772] Mahery *et al.* see note 770.

[773] The U.S President's Emergency Plan for AIDS Relief (PEPFAR). 2012. Guidance for Orphans and Vulnerable Children Programming. www.pepfar.gov/documents/organization/195702.pdf last accessed November 2014.

[774] USAID, UNICEF, UNAIDS & WFP. 2005. *Rapid Country Assessment, Analysis and Action Planning (RAAAP) Initiative On Behalf Of Orphans and Other Vulnerable Children In Sub-Saharan Africa.* Executive Summary OVC RAAAP Initiative Final Report. Policy Project, page 1. www.policyproject.com/pubs/countryreports/afr_ovc_raaap.pdf last accessed November 2014.

storm because of the coming together of a combination of factors such as: poverty; an already weakened infrastructure, and; the provision of ineffective prevention mechanisms. All these factors contributed negatively to over-burdening the traditional safety nets, within family and community, and moving toward a potential disaster, particularly with respect to children. In response to the epidemic attention was focussed on ways in which the world could assist in shifting the impact of the epidemic, by providing greater networks of support and aid. These various policy and strategic changes are discussed in this section.

4.4.2 The changing policy context for children affected by HIV and AIDS

As the international community became increasingly aware of the impact that the HIV/AIDS epidemic had on countries throughout the world, concerns were voiced that many of the hard won developmental goals achieved over the years were now going to be reversed setting back any possible hope of achieving the MDGs by 2015[775]. In the 2002 Children on the Brink report it was stated that, '(i)n the absence of HIV/AIDS the percentage of children who are currently orphans … would be declining due to improvements in the mortality rates for adults in the traditional child rearing years'[776].

Even more problematic was the fact that countries and communities hardest hit would be countries already weakened by social, economic and environmental conditions such as poverty, famine and war. These communities, when confronted by the added burden of HIV, impacting the most productive individuals within a community, would find it increasingly difficult to overcome the burden of an already overstretched traditional support system and infrastructure[777].

In the early 1990s it was assumed the needs of OVC would be met by the extended family network. This was an assumption soon proven incorrect after a series of studies and reports, the most influential being the 1997 Children on the Brink report[778]. As the epidemic progressed in stages — from an early rise in the infection rate, through to the debilitating illness of those who were infected by the virus, finally culminating in

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[775] Southern African Development Community (SADC). 2012. *Towards a Common Future: HIV/AIDS.* www.sadc.int/issues/hiv-aids/ last accessed January 2015; It was also said at the time in the CRS *Report for Congress that*, '(t)he growing population of children orphaned by HIV/AIDS is a concern, because had it not been for HIV/AIDS, the global percentage of orphans would be declining instead of increasing'.

[776] UNAIDS, UNICEF & USAID. 2002. *Children on the Brink 2002: A Joint Report on Orphan Estimates and Program Strategies,* page 5.

[777] Foster, G., Makufa, C., Drew, R. & Kralove, E. 1997. 'Factors Leading to the Establishment of Child Headed Households: the Case of Zimbabwe'*, Health Transition Review, Suppliment 2 of Vol 7*, 156-157; UNICEF 2006.

[778] Hunter, S. & Williamson, J. 1997. *Children on the Brink: Strategies to Support Children Isolated by HIV/AIDS,* USAID*;* Also Foster *et al*. see note 777.

increasing numbers of deaths[779] — many of the planned programmes, adopted by countries seriously affected by HIV/AIDS, were mirroring the progressive stages of the epidemic[780]. In this setting there was a notable increase in the illness and death of parents and caregivers, often the primary breadwinners in the family. Thus, this third stage of the epidemic highlighted an increase in the number of children being orphaned or made vulnerable by HIV/AIDS, stretching the resources of the extended family[781].

The third and final phase of the epidemic was identified in the 1997 'Children on the Brink' report. This 1997 version of 'Children on the Brink' was the first comprehensive report providing global estimates on orphans of HIV and other AIDS-related causes. It informed and alerted the global community to the impending disaster that the HIV/AIDS epidemic would bring to many developing countries[782]. Following on from this earlier report, the 2002 and 2003 reports further highlighted the epidemic's impact on the extended family and stated that in having to care for orphaned children many extended families are being pushed beyond their ability to cope[783]. It pointed out that, as a result of the growing burden on family and community in areas where children are hardest hit, there was a need to radically scale-up the national, regional and community responses for at least two decades[784].

In response to these initial warnings focus turned to the plight of orphans and the future of vulnerable children in a context such as HIV/AIDS. This heightening of awareness brought an upsurge in the development of strategies and programmes specifically aimed at addressing the impact of the growing orphan population in certain communities, often using terms such as 'aids orphans' and the 'orphan problem'[785].

As understanding developed and changed with respect to the impact and effect of the epidemic, much of the earlier academic writings[786], when examining childhood poverty, rights and HIV/AIDS, initially concentrated on orphans and the consequences they faced when losing a primary caregiver[787]. This initial focus on orphans or 'aids orphans',

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[779] Smart see note 652.

[780] Zosa-Feranil, I., A. Monahan, A. Kay, and A. Krishna. 2010. *Review of Orphans and Vulnerable Children (OVC) in HIV Grants awarded by the Global Fund to fight AIDS, Tuberculosis and Malaria* (Rounds 1-7), page 3.

[781] Smart see note 652.

[782] Hunter & Williamson see note 777.

[783] UNAIDS/UNICEF see note 776.

[784] UNAIDS/UNICEF see note 776 at 3.

[785] UNAIDS/UNICEF.

[786] For over a decade.

[787] Skinner, D., Tsheko, N., Mtero-Munyati, S., Segwabe, M., Chibatamoto, P., Mafecane, S., Chandiwana, B., Nkomo, N., Tlou, S. & Chitiyo, G. 2004. Defining Orphans and Vulnerable Children. *Social Aspects of HIV/AIDS & Health Research Programme,*

spearheaded a number of controversial debates over the too specific, and possibly discriminatory use of terminology, the paucity of relevant data, the confusion of the monitoring processes and the over specific focus on programming for orphans.

One such debate highlighted the difficulties encountered in attempting to determine the extent of the 'orphan problem' in a country. These difficulties existed because of the paucity of accurate, relevant data on orphan numbers and on the numbers of children infected and/or affected by HIV/AIDS. In addition to this lack of access to clear and relevant data, there was a need for a common, accepted definition of terms that described orphans and childhood vulnerability, without which effective monitoring and evaluation programmes could not exist. It was also necessary to challenge the assumption that, in the context of HIV/AIDS, orphans were the most vulnerable and to note that, 'the definitions of orphans and vulnerable children begins with orphans but expands far beyond these definitions'[788].

Over the past two decades the search to find an appropriate definition for these terms, particularly in the context of HIV/AIDS, has been marred with controversy and confusion. Initially, with strategic programming in mind, certain international agencies and government bodies, applied the generally accepted, albeit narrow, definition of an orphan used by UNAIDS in the context of HIV/AIDS. Here orphan was defined as 'a child who had lost its mother (maternal orphan) or both parents (double orphan) before the age of 15 years'[789]. This same definition was adopted and used in the 2002 Children on the Brink report by UNICEF. Unfortunately, because of the narrow ambit of the definition, it failed to reflect the more realistic figures showing paternal orphans[790] or orphans between the ages 16-18 years[791]. Thus, by 2004, Children on the Brink opted to use the broader definition of orphan as reflected in the Monitoring and Evaluation Guide developed by UNICEF, USAID *et al.* in 2004[792] where the term orphan is consistently defined as 'a child aged under 18 years who has lost one or both parents'.

Occasional Paper 2. HSRC, page 4; Also Skinner, D. & Davids, A. 2006. 'Introduction'. In: A. Davids, N. Nkomo, S. Mfecane, D. Skinner & K. Ratele. *Multiple Vulnerabilities: Qualitative data for the study of orphans and vulnerable children in South Africa*, page 1-4.

[788] Engle, P. 2008. *National Plans of Action for Orphans and Vulnerable Children in Sub-Saharan Africa: Where are the youngest children?* Working Paper No. 50, page 11.

[789] UNAIDS/World Health Organisation (WHO). 2003. Children's Environmental Health: Other Environmental Risks: HIV/AIDS. www.who.int/ceh/risks/otherrisks/en/index.2.html last accessed November 2014.

[790] Studies have shown that the sense of bereavement felt by maternal and paternal orphans is not significantly different although there are certain differences between the two. Research is limited in this area. Cluver, L. 2007. *Risk and Protective Factors for the Psychological Well-Being of Children Orphaned by AIDS in Cape Town, South Africa.* PhD Thesis Oxford, page 80.

[791] Jooste.S, Managa. A & Simbayi. L. 2006. *A census report of orphans and vulnerable children in two SA communities,* HSRC, page 2.

[792] UNICEF, UNAIDS, USAID, DHS, Family Health International, World Bank, Save the Children and AIDS Alliance 2005. *Guide to monitoring and evaluation of the national response for children orphaned and made vulnerable by HIV/AIDS.*

This guide has contributed, to an extent, in the adoption of the wider definition thus encouraging consistency across countries in the programming, monitoring and evaluation of their programmes.

Nonetheless, even though the controversy regarding the definition of orphan has, to a certain extent, been resolved there is a need to establish: 1) a more consistent use of terminology relating to childhood vulnerability, taking into consideration the negative impact of terms such as 'aids orphan'; and 2) a more inclusive approach to programming where all vulnerable children are targeted, bearing in mind the division between those who believe targeted approaches are 'unnecessary and stigmatising'[793] and those who believe children affected by HIV/AIDS need additional care and support[794]. Much of the criticism about the use of aids specific labels such as, 'aids orphans', was due firstly to the discriminatory and exclusionary nature of the label, and; secondly to exclusive programming for only certain children who had been directly affected by HIV/AIDS.

In this context children were seen as being twice stigmatized, once by the illness and loss of their parents and twice, as AIDS orphans where children are judged or seen as different in the community where they live[795]. Additionally programmes specifically focussing on orphans have a tendency to overlook or discount the many other children affected by the HIV/AIDS epidemic. The reality is that HIV/AIDS has had an impact beyond orphaning children and there are a number of children affected by the AIDS epidemic that exceed the number of estimated orphaned children[796]. In the context of HIV/AIDS one cannot ignore the fact that infected parents will fall ill and need care and the children are often left to take on this additional burden. Thus, by focussing specifically on the vulnerability of orphans affected by HIV/AIDS, the circumstances facing children with chronically ill parents are often overlooked, even ignored[797]. The unfortunate reality is that, 'the burden on children may be greater when a parent is ill than when the parent has died and the child has made the initial adjustment'[798].

It has been generally accepted, since the 2002 'Children on the Brink' report, that a programme specifically focusing on the plight of 'aids orphans' is inherently problematic.

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[793] Cluver see note 790.

[794] Cluver see note 790 at 119-121; Skinner *et al.* see note 787.

[795] Skinner *et al.* see note 787.

[796] Richter, L., Foster, G. & Sherr, L. 2006. *Where the heart is: Meeting the psychosocial needs of Young Children in the context of HIV/AIDS,* page 16; Engle see note 788.

[797] Richter *et al.* see note 796; Engle see note 788.

[798] Engle at page 36.

It is also generally accepted that programmes should be wary of targeting in this manner as it may result in exclusionary and discriminatory practices[799]. Therefore, during the 2000's, a major shift in policy programming took place. Programming went from targeting 'children who are orphans due to AIDS'[800] to including vulnerable children or children made vulnerable by HIV and AIDS through parental illness and associated poverty[801]. In many countries, including South Africa, the term Orphans and Vulnerable Children (OVC) was coined to encompass a broad range of vulnerabilities[802]. As pointed out by Skinner, '(t)he term orphaned and vulnerable children (OVC) was introduced due to the limited usefulness of the tight definition of the construct of orphan-hood in the scenario of HIV/AIDS'[803]. Unfortunately, this term introduces a new set of challenges with respect to finding a consistent definition and although it may be more inclusive, it is much harder to define[804] and as a result, impacts on programme development or the allocation of appropriate services[805].

Nonetheless, with respect to policy programming in the field of child vulnerability, shifts continue to take place and targets have, over the years, broadened into adopting a more general approach moving toward 'helping children with vulnerability'[806]. Yet despite these many improvements and changes, the problems with respect of clarity persist and many programs continue to fall back into using the narrower approach where orphans are the primary focus. Temin points out that a further complication in the search for a clear definition is that different sectors — health, gender, development and child protection — often use the term in differing ways which contributes toward their inability to find a common language across the key sectors[807]. Clearly, without consistency in the definitions used, the ability to accurately measure and report on the numbers of children who are vulnerable in the world will continue to elude policy programmers and academics alike.

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[799] PEPFAR's point on specific issues affecting Orphans and Vulnerable Children.

[800] Engle see note 788 at 10.

[801] Engle at 1.

[802] Schenk, K., Michaelis, A., Nelson-Sapiano, T. & Weiss, E. 2010. 'Improving the Lives of Vulnerable Children: Implications of Horizons Research — Among Orphans and Other Children Affected by AIDS', *Public Health Reports,* Vol. 125, page 326. 'The reality of children having to care for their ill parents has been known about in communities long before programme implementers became aware of the problem and coined the phrase OVC'.

[803] Skinner *et al*. see note 787.

[804] Skinner *et al*.

[805] Cluver see note 790.

[806] Engle see note 788 at 10.

[807] Temin, M. 2010. *Enhancing Social Protection for HIV Prevention, Treatment, Care and Support – the State of the Evidence*. UNICEF, page 13.

Vulnerability will remain contested and unclear as long as countries continue to approach the notion in a passive or linear fashion, not taking into account the varying determinants that are context specific, multi-dimensional and dynamic[808]. Temin suggests that a useful common sense definition is when, '(v)ulnerability refers to exposure to contingencies and stress and difficulty in coping with them'[809]. Suffice to say, there are numerous legal and policy frameworks, nationally and internationally, defining vulnerability within the HIV/AIDS context where multiple variables are included.

In 2005, UNICEF and its partners, UNAIDS, the World Bank, USAID, Save the Children, and others[810], defined vulnerability as:

> A child made vulnerable by HIV/AIDS who is below the age of 18 and meets one or more of the following criteria: has lost one or both parents; has a chronically ill parent (regardless of whether the parent lives in the same household as the child); lives in a household where in the past 12 months at least one adult died and was sick for 3 of the 12 months before he/she died'; lives in a household where at least one adult was seriously ill for at least 3 months in the past 12 months; lives outside of family care (i.e. lives in an institution or on the streets)[811].

At a regional level SADC has defined vulnerability as, '(c)hildren who are unable or who have diminished capacity to access their basic needs and rights to survival, development, protection and participation as a result of their physical condition or social, cultural, economic or political circumstances and environment and require external support because their immediate care and support system can no longer cope'[812]. In South Africa, the Children's Act uses a broader, general definition of orphan-hood where an orphan is defined as, 'a child who has no surviving parent caring for him/her'[813]. Other sections in the Act, that mention orphan-hood, refer to eligibility for adoption and of children who may be in need of care and protection[814]. The first policy document that refers to vulnerable children infected or affected by HIV is in the Policy Framework on Orphans and other Children made Vulnerable by HIV and AIDS (South

[808] Temin see note 807 at 13.

[809] Temin at page 13.

[810] UNICEF *et al*. see note 792.

[811] USAID/UNICEF see note 792.

[812] Southern African Development Community (SADC). 2011. *Minimum Package of Services: For Orphans And Other Vulnerable Children And Youth,* page 17.

[813] Section 24 and 15 of the Children's Act No.38 of 2005.

[814] Section 150 of the Children's Act 2005; Also Cluver see note 790 at 39.

African Framework). The definition provided here states, 'a child whose survival, care, protection or development may be compromised due to a particular condition, situation or circumstances which prevents the fulfilment of his or her rights'[815].

4.4.3 Broad policy framework for OVC

In addition to the CRC and the African Charter, there are several international policies, treaties and frameworks that have a bearing on the manner in which South Africa has developed its own strategies and programme objectives for vulnerable children. To ensure a cohesive, coordinated and comprehensive response in the protection and care of all children, international conventions, goals, and instruments, such as the UN Millennium Development Goals and the UN Declaration of Commitment on HIV/AIDS, have influenced the development of frameworks, by subscribing states. These instruments have also specifically provided for strategies aimed at children who have been made vulnerable by HIV/AIDS[816]. The frameworks developed reflect key objectives aimed at ensuring the creation of an enabling environment for children made vulnerable by HIV/AIDS, at the high end of policy-making and law and the low end within communities and families[817]. Listed below, are a selection of key highlights that have occurred internationally and have ultimately impacted on the South African government's national strategy plan, the National Action Plan for Orphans and Vulnerable Children 2006/8 and 2009/12.

1. In September 1990, at a World Summit for Children, world leaders gathered together and committed themselves to protect the rights of children in the World Declaration on the Survival, Protection, and Development of Children[818]. One year later, world leaders gathered in their numbers at the Millennium Summit and reaffirmed their commitment toward sustainable development, the elimination of poverty and the fight against HIV/AIDS. At the Summit, leaders adopted the United Nations Millennium Declaration (Millennium Declaration) which set down 10 Millennium Development Goals (MDGs). Integral to those goals was a commitment to uphold the rights of all children, including those of OVC.
2. In June 2001, at a UN General Assembly Special Session (UNGASS) nearly 50

[815] Department of Social Development (DSD). 2005. *Policy Framework on Orphans and other Children made Vulnerable by HIV and AIDS*, page 5.

[816] Martin, P., Mathambo, V. & Richter, L. 2011, *UNICEF OVC programme component evaluation,* HSRC, page 19.

[817] Smart see note 652 at 12.

[818] Engle see note 788 at 13.

countries, including South Africa, came together to sign the United Nations General Assembly Special Session (UNGASS) *Declaration of Commitment on HIV/AIDS.* The document that was drawn at this Special Session set down time-bound plans and targets for all signatory nations and specifically recognized that children orphaned and affected by HIV/AIDS needed special assistance. The language of the UNGASS goals reinforced the pro-family theme of the CRC and renewed donor commitment toward strengthening the capabilities of families, communities, and governments to provide adequate support and care to vulnerable children[819]. Articles 65 to 67 specifically speak to vulnerable children in the context of HIV/AIDS:

> 'By 2003, develop, and by 2005 implement, national policies and strategies to build and strengthen governmental, family and community capacities to provide a supportive environment for orphans and girls and boys infected and affected by HIV/AIDS, including by providing appropriate counselling and psychosocial support, ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children; and protect orphans and vulnerable children from all forms of abuse, violence, exploitation, discrimination, trafficking and loss of inheritance; … Urge the international community, particularly donor countries, civil society, as well as the private sector, to complement effectively national programs to support programs for children orphaned or made vulnerable by HIV/AIDS in affected regions and in countries at high risk and to direct special assistance to sub-Saharan Africa'[820].

3. The proceedings of the UN Special Session on Children, in 2002, brought together heads of state, NGOs, children's advocates and young people from all over the world. It was also an ideal opportunity for states to assess their progress towards implementation of the CRC, as this was the first time that the General Assembly had a meeting devoted entirely to children and their special needs. Twelve years after the First World Summit for Children[821]in 1990, a repeat commitment to the Children was made at the UN General Assembly Special Session on Children, 'A World Fit for Children'. In addition, the MDGs and the 2001 Special Session goals

[819] Zoll, M. 2011. *Can Global Development Dollars Do More to Improve Care for Orphans and Most Vulnerable Children (O/MVCs)?* Paper for Center for Global Development, page 15-16.

[820] United Nations. *2001. Declaration of Commitment on HIV/AIDS,* United Nations General Assembly Special Session on HIV/AIDS (UNGASS): 25-27th June 2001.

[821] Kaime see note 731 at 85.

for children affected by HIV/AIDS were reaffirmed at this Session[822].

4. The key foundational, framework document that was developed in consultation with and endorsed by more than 40 international agencies, is a document aimed at guiding action on OVC. This is the 2004 *Framework for the Protection, Care and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS* (The Global Framework). This framework document is a coherent strategic document forming the basis of action plans and strategies aimed specifically at childhood vulnerability. The document has influenced and informed National Action Plans in many Sub-Saharan countries and has been adopted by the South African government[823]. The Framework sets out five broad strategies to structure a country's response to improve the care and protection of children affected by HIV/AIDS. An integral part of the strategy outlined is the adoption of a multi-sectorial approach in supporting children affected by HIV/AIDS[824]. The five strategies aim to:
    1. Strengthen the capacity of families to protect and care for orphans and vulnerable children by prolonging the lives of parents and providing economic, psychosocial and other support;
    2. Mobilise and support community-based responses;
    3. Ensure access for orphans and vulnerable children to essential services, including education, health care, birth registration, and others;
    4. Ensure that governments protect the most vulnerable children through improved policy and legislation, and by channelling resources to families and communities;
    5. Raise awareness at all levels through advocacy and social mobilisation to create a supportive environment for children and families affected by HIV/AIDS[825].

4.4.4 Legal and policy framework in South Africa

The following section outlines the progress made in South Africa in the development of policies and strategies aimed at addressing the challenges facing children affected by

[822] Although only age related age-related recommendations are toward HIV prevention among young people.

[823] UNAIDS/UNICEF. 2004. *Framework for the Protection, Care and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS.*

[824] Richter, L. & Rama, S. 2006, *Building Resilience: A rights-based approach to children and HIV/AIDS in Africa*, Save the Children (Sweden), page 19.

[825] UNAIDS/UNICEF see note 823.

HIV/AIDS in South Africa. It draws attention to the collaborative process followed by a network of actors such as DSD, UNICEF and CSOs involved in formulating and developing policies for OVC in South Africa.

4.4.4.1 Policy for OVC: Influences from global and national networks

In the early 2000's, a Rapid Appraisal of Priorities Policies and Practices (RAPPP) was conducted in South Africa, as an initiative of DSD in partnership with Save the Children Fund (UK). The objective of the RAPPP was to identify key priorities and challenges facing children affected by HIV/AIDS in South Africa. It was found that, as late as 2003, South Africa had not, as yet, a clear policy framework against which strategies and programmes could be devised, as stated by Smart:

> 'The lack of a policy framework within which to understand the whole subject of children and HIV/AIDS in South Africa was identified as a barrier to effective, coordinated action... The National Strategic Framework should be finalised as a matter of urgency...It should then be disseminated and actively promoted as the framework within which all sectors of society should develop their priorities'[826].

Nonetheless in spite of its initial slow response to its' international and national commitments, the South African government has, over a period of 20 years, developed a number of integrated policies, legal frameworks and plans of action. These various policies and legal frameworks aim at both recognising and promoting 'the realisation of a comprehensive package of rights and essential services necessary to ensure the care and support for children affected by HIV and AIDS'[827] many of which have little to no relevance to this study, as a result only a few key instruments are highlighted below:

1. The National Integrated Plan for Children and Youth Infected and Affected by HIV/AIDS, 2000 (NIP);
2. HIV & AIDS and STI National Strategic Plan, 2007-2011 (NSP);
3. Policy Framework on Orphans and Other Children Made Vulnerable by HIV and AIDS in South Africa, 2005 (South African Framework);
4. The National Action Plan for Orphans and Other Children Made Vulnerable by HIV and AIDS in South Africa 2006–2008 & 2009–2012 (NAP 2006/08 and 2009/12).

These policies above significantly influenced and were influenced by our children's legal

[826] Smart see note 652at 53.

[827] Smart at page 12; Also Zoll see note 819 at 19.

framework including:

1. The Children's Act No 38 of 2005 as amended by Act No 41 of 2007;
2. The Child Justice Act No 75 of 2008 (HSRC, 2011, 19);
3. Social Assistance Act, No. 13 of 2004; and
4. Social Assistance Amendment Act, No. 6 of 2008.

Finally in 2005, two years after the second RAPPP report, the National Policy Framework on Orphans and Other Children Made Vulnerable by HIV and AIDS in South Africa (South African Framework)[828] was introduced and implemented by a wide variety of stakeholders. This South African Framework was the necessary blueprint against which comprehensive, coordinated and integrated strategies, aimed at vulnerable children in South Africa, were able to be developed[829]. In addition, in order to respond to the many complexities of problems faced by these children, such as their differing vulnerabilities, the framework developed was multidisciplinary in nature, requiring, a complex and comprehensive response that would be able to protect and, at the same time, nurture the full complement of children's rights[830]. This meant that the responsibility for programming needed to extend beyond a single department and beyond one organisation or institution. Therefore, policy plans and frameworks were allocated to a number of departments, providing a 'full departmental spectrum' which would be responsible for a continuum of services and benefits aimed at ensuring the 'holistic well-being of vulnerable children'[831].

Thus, the key policy documents that are of particular significance to this study are the Policy Framework for Orphans and other children made vulnerable by HIV and AIDS (South African Framework) 2005 — the 'blueprint for the care of OVC'[832] — and the National Action Plan for OVC (NAP) initially issued in 2006[833]. The South African Framework is responsible for outlining a broader framework for the protection and provision of comprehensive and integrated developmental services for OVC. The NAP which was first issued in 2006 identifies six key strategic areas and programmatic

[828] DSD see note 815 at 8.

[829] DSD see note 815.

[830] DSD see note 815.

[831] DSD see note 815.

[832] DSD see note 815.

[833] There are subsequent NAPs for OVC: Department of Social Development (DSD). 2009. *The National Action Plan for Orphans and Other Children Made Vulnerable by HIV and AIDS South Africa, 2009–2012.*

interventions[834].

Both the South African Framework and the NAP set out a clear implementation path for providing services to OVC and addressing the impact of HIV/AIDS on these children so affected. These two policy approaches were the result of a broad and inclusive consultative process that commenced during the early 2000's, against the backdrop of a number of conference proceedings, resolutions and actions, all focussing on the protection of child rights, specifically those of OVC. Recommendations and guidelines emerging from these early consultative deliberations provided the foundation against which the South African Framework for OVC was developed and ultimately led to the development of the first, and later, NAPs for OVC in South Africa.

In June 2002 a National Conference was organized around the theme, 'Strengthening Coordinated Action for Orphans and other Children made Vulnerable by HIV/AIDS'. The conference was organized in collaboration with DSD, UNICEF, Save the Children Fund (UK and Sweden), the Departments of Health (DoH) and Education (DoE) and National Action Committee of Children Affected by HIV/AIDs (NACCA)[835]. It brought together a wide range of stakeholders with the intention of creating a forum where parties were able to consult on issues relating to OVC. Listed below are the seven key recommendations that came out of the 2002 conference[836]:

1. To establish a coordination structure at three levels;
2. To engage in a national process for identifying orphans, vulnerable children and duty bearers, and create a database;
3. To fast track a process for accessing social security grants;
4. To involve civil society in a process that can best assist DSD in linking children with available services;
5. To engage in a national process for creating awareness about services that are available to orphans and vulnerable children;
6. To establish ways in which government can fast track the establishment of home/community based care in communities where there little or no existing models for care;
7. To identify, capacitate and fund NGOs, CBOs, FBOs and CSOs involved in

[834] DSD see note 815.

[835] NACCA is the reconstituted NACTT – a national forum established to ensure coordination between all stakeholders.

[836] Smart see note 652 at 39; Also Department of Social Development (DSD). 2002. *Conference Theme: Strengthening coordinated action for orphans and other children made vulnerable by HIV/AIDS.*

offering services to orphans and vulnerable children[837].

Although all recommendations have bearing on the study, it is recommendation 1 — establishing a coordinating structure — that has direct relevance to the research.

The importance of this proposed structure is that it has a responsibility to both oversee the development of policy and its' implementation. At the 2002 conference, the Department of Social Development (DSD), as the lead department overseeing implementation of all programmes for OVC, was mandated to establish a National Action Committee for Children Affected by AIDS (NACCA) as a permanent coordinating structure of government departments, civil society, business and development agencies. The intention was that NACCA would: both facilitate and coordinate national, provincial, district and community level mechanisms to alleviate the impact of HIV/ AIDS on children. A further two structures, duplicating the National structure, were proposed for provincial and district coordination of OVC programmes[838].

In the later 2009/12 NAP, this proposed structure was changed to one where primary responsibility and oversight remained with NACCA and no further attention was given to developing the provincial and district structures. NACCA[839] is an inter-sectorial, non-statutory body consisting of government representatives from a variety of departments, civil society organisations and international donor agencies.[840]

After the 2002 conference, NACCA commenced with its programme of coordinated action and as a result played an integral role in ensuring the active engagement of a broad range of stakeholders, at the high and low end of the policy network. NACCA has also made sure that all matters that relate to OVC are on the national agenda and was instrumental in the development of the Policy Framework and the National Action Plans for OVC[841]. In 2005, the first Policy Framework for OVC (South African Framework), developed in 2005, came out of a highly consultative, stakeholder driven process. It provided an overarching framework against which strategies and interventions, aimed at OVC, were developed in a collaborative and cooperative manner bringing together actors from across government departments, the public and private sector, international

[837] DSD see note 836.

[838] DSD see note 836 at 2.

[839] In 2004/05, a sub-programme, Coordinated Action for OVC, was introduced in the HIV/AIDS directorate (DSD), to carry out this new function. The sub-programme is responsible for NACCA and liaises with donor and international agencies like UNICEF. DSD in: Streak, J. 2005. *Government's Social Development Response to Children made vulnerable by HIV/AIDS: Identifying gaps in policy and budgeting*, Occasional Paper, page 9.

[840] Streak see note 839.

[841] DSD. 2013. *Request for Proposals to assist DSD for Review of National Action Plan for OVC*, Feb 2013, page 1.

development agencies and civil society organisations[842]. The purpose of the South African Framework was to encourage the effective delivery of responses to South Africa's obligations toward OVC — at a legal, policy and programmatic level — in a cohesive, flexible, coordinated and integrated manner amongst all actors[843].

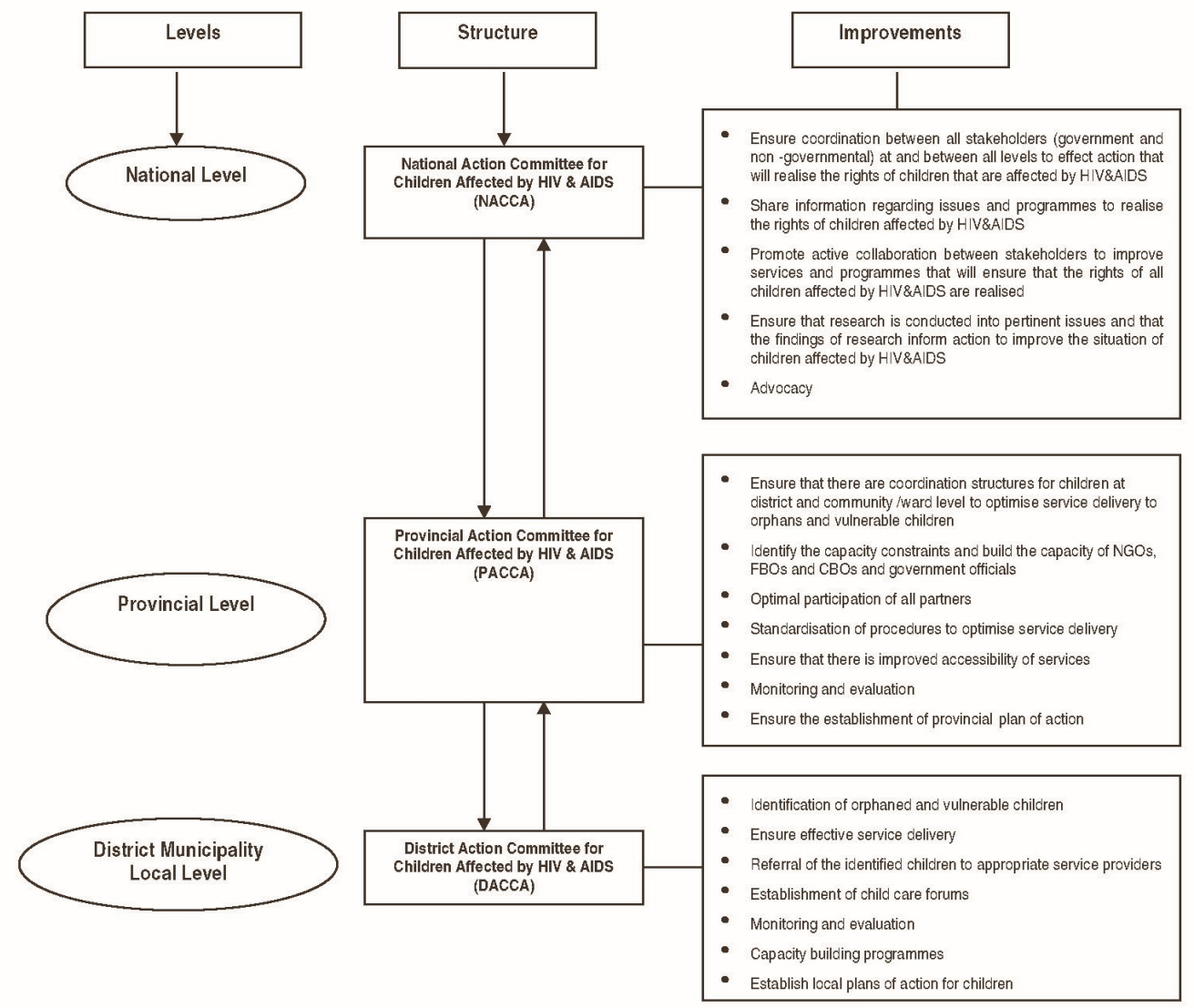

Figure 4.2: The levels, structures and improvements in NAP 2006-2008. Source: DSD NAP for OVC 2006–2008, page 5

The South African Framework is the foundation on which the NAPs 2006/8 and 2008/12 were developed. This framework aims to promote a supportive environment for OVC, where all actors come together in an effort to work toward a common goal (Figure 4.2). In addition, the effective implementation of the NAPs are key to ensuring South Africa is able to progress toward meeting the objectives of the MDGs and UNGASS[844]. The NAP

[842] DSD. See note 815.

[843] DSD. See note 815 and note 836.

[844] DSD. See note 841 at 1.

for OVC[845] expanded on the strategies outlined in the South African Framework, providing additional guidelines for programme implementation at a national, provincial and local government level[846].

The six strategic goals, emanating from the South African Framework, aim at strengthening the capacity of families' and community resources whilst also providing access to services and creating an awareness of child rights, child protection and care[847]. These strategic goals assist in the development of comprehensive, integrated and quality responses for OVC at programmatic level and are listed as:

1. Strengthen and support *the capacity of families* to protect and care;
2. Mobilise and strengthen *community-based responses* for the care, support and protection of orphans and other children made vulnerable by HIV and AIDS;
3. Ensure that legislation, policy; strategies and programmes are in place to protect *the most vulnerable children;*
4. Assure access for orphans and children made vulnerable by HIV and AIDS to *essential services;*
5. *Raise awareness and advocate for the c*reation of a supportive environment for OVC;
6. *Engage the civil society sector and business community* in playing an active role to support the plight of orphans and children made vulnerable by HIV and AIDS[848].

4.4.4.2 Key programming objectives: Developing case studies

As most NAPs are organized in terms of the key categories set down in the 2004 Framework for the Protection, Care, and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS (The Global Framework), they will often share common goals that encompass areas such as: the strengthening of families and communities, providing or improving access to services, building capacity; addressing relevant policy and legislation, social mobilisation and awareness of stigma and monitoring and evaluation of programmes[849].

South Africa's NAPs for OVC are no exception to this rule and are based on the six key

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[845] Department of Social Development (DSD). 2006. *National Action Plans for Orphans and Other Children Made Vulnerable by HIV/AIDS (OVC*) 2006–2008; Also DSD NAP for OVC 2009–2012.

[846] DSD. See note 845.

[847] DSD. See note 845.

[848] DSD see note 845.

[849] USAID/UNICEF see note 823.

strategic areas broadly outlined in the South African Framework, that have been adopted from the Global Framework. As a result, the NAPs strategic and programmatic interventions reflect these common shared goals and objectives, albeit from within the particular South African context. The South African NAPs are 3 year, multi-sectorial, programmatic interventions[850] aimed at reducing the impact of HIV on OVC[851]. Therefore, the primary objectives of the first 2006/08 NAP were: 1) to reduce vulnerability; and 2) to ensure the provision of services and protection for all OVC.

In the 2006 work plan, NACCA was given the mandate to oversee the operationalisation of the NAP, with an emphasis based on the premise that no strategy should stand alone and that strategic goals were to be viewed as interrelated and integrated. This meant that when implementing strategies, practitioners were advised to develop approaches with a particular focus on a 'joint planning, partnership sharing experience' where multi-dimensional support to OVC would be provided. This called for harmonisation of stakeholders at national, provincial and district levels in order to coordinate and implement the NAP[852]. As was stated in the 2006/08 NAP:

> (t)his working partnership of different levels of government with business, the civil society sector and the donor community will provide support to OVC that is integrated, holistic and will create an enabling environment to: Increase access to quality social services (health, nutrition, education and psychosocial support) for orphans and vulnerable children; Create an environment where orphans and vulnerable children are not discriminated against at a social, health and education services; Improve and support community capacities to identify and monitor vulnerable households and to provide a supportive environment for orphans and vulnerable children; and; Encourage special measures to protect orphans and vulnerable children from violence, exploitation, discrimination and abuse, and obviate any secondary trauma that may result from their orphan-hood[853].

The first NAP underwent a review at the end of the 3 year implementation period. This review was then followed by the development, overseen by the NACCA Steering Committee, of the 2009/12 NAP. The development of the 2009/12 NAP, was a collaborative, multi-stakeholder process that built on the first NAP whilst also taking into account the circumstances of the time with respect to the epidemic, recent

[850] DSD. See note 841.

[851] DSD. See note 833 at 3: Also see note 841.

[852] DSD. See note 833; DSD. See note 845 at page 8.

[853] DSD. See note 845.

developments and the state of children and families infected and affected by HIV/AIDS[854]. Mid 2009, after a consultative process with all stakeholders, the second NAP for OVC was adopted by the NACCA steering Committee. The 2009/12 NAP was viewed as seeking, 'to provide continued guidance to all government departments and sectors of civil society, building on work done in the NAP 2006/08. It is informed by the state of children and families in South Africa, and how they are currently infected and affected by the AIDS epidemic'[855].

Both the 2006/08 and the 2009/12 NAPs focussed on the same broad strategic goals that were originally set down in the South African Framework, the fundamental differences were present in the detail of each intervention aimed at achieving the broad goals. Following on from the 2006/08 NAP, the later 2009/12 NAP expanded on the key strategic areas, with several implementation changes. These broad strategic goals are highlighted in the Table 4.3 below:

Table 4.3: Strategic goals of NAP 2006-2008 and 2009-2012

Policy Framework for OVC in South Africa 2005	NAP 2006–2008	NAP 2009–2012
1. Strengthen and support the capacity of families to protect and care for OVC.	**Strategy 1: Strengthen and support the capacity of families to protect and care for OVC***; (Strategies 1 and 4 complement each other). 1.1 Ensure mechanisms are in place to provide psychosocial support to OVC and their families; 1.2 Ensure sustainable food security systems for OVC and their families; 1.3 Mainstream succession planning into intervention programmes for OVC; 1.4 Expand treatment for infected children and their primary caregivers; 1.5 Support vocational and skills training programmes for child headed households.	**Strategic goal 1: Strengthen and support the capacity of families to protect and care for OVC.** Strategic Objectives for the first strategy are: 1.1 Enhanced early identification of families, orphans and other vulnerable children; 1.2 Increased delivery of PSS to OVC and their families; 1.3 Strengthened household economic capacity through social security safety nets and food security; 1.4 Enhanced support for family succession planning and security of inheritance for children; 1.5 Enhanced competence of young people's life and survival skills; 1.6 Enhanced early identification of child headed households and interventions to address their needs; 1.7 Increased access to treatment, care and support for caregivers who live with AIDS, for their sense of well-being and to live their lives with dignity.
2. Mobilise and strengthen community-based responses for the care, support and protection of orphans and other children made vulnerable by HIV and AIDS.	**Strategy 2: Mobilise and strengthen community-based responses for the care, support and protection of OVC**; 2.1 Mobilise and organise for the early identification of OVC; 2.2 Develop capacity of communities to respond to OVC; 2.3 Increase the participation of local authorities in the care and support of OVC; 2.4 Develop coordination mechanisms for OVC programmes at district level; 2.5 Identify and support good practice models that nurture and support OVC; 2.6 Establish and maintain database of OVC services provided (at a local level).	**Strategic goal 2: Mobilise and strengthen community-based responses for the care, support and protection of OVC.** The Strategic Objectives for the second strategy are: 2.1 Increased capacity of communities to provide support, protection and care to OVC; 2.2 Enhanced participation of local authorities in the care and support of OVC; 2.3 Reduce the number of children living outside family care; 2.4 Increased external support for OVC.

Table 4.3: Continued page 166.

[854] DSD. NAP for OVC 2009-2012. (Also see note 845)

[855] DSD. See note 854 at 1.

Table 4.3: Continued

Policy Framework for OVC in South Africa 2005	NAP 2006–2008	NAP 2009–2012
3. Ensure that legislation, policy; strategies and programmes are in place to protect the most vulnerable children.	**Strategy 3: Ensure that legislation, policy, strategies and programmes are in place to protect the most vulnerable children**; 3.1 Ensure comprehensive legal protection of OVC through policy and legislation; 3.2 Create and strengthen mechanisms that support delivery of strategies and programmes at all levels; 3.3 Ensure operational alignment within and among government departments and across all sectors; 3.4 Develop and maintain a coordinated national database that supports the implementation of the policies, strategies and programmes. 3.5 Develop appropriate curricula and training programmes that address the needs of OVC and their families.	**Strategic goal 3: Ensure that legislation, policy; strategies and programmes are in place to protect the most vulnerable children**. The Strategic Objectives for the third strategy are: 3.1 Enhanced comprehensive legal protection of OVC through policy and legislation. 3.2 Increased response to the critical issues facing OVC.
4. Assure access for orphans and children made vulnerable by HIV and AIDS to essential services.	**Strategy 4: Ensure access for OVC to essential services;** 4.1 Ensure that services and service delivery mechanisms are based on the child rights approach; 4.2 Develop and strengthen programmes that make essential services accessible to OVC; 4.3 Support resource mobilisation for the implementation of programmes that make essential services accessible to OVC.	**Strategic Goal 4: Ensure access of OVC to essential services.** The Strategic Objectives for the fourth strategy are: 4.1 Increased access to essential services for OVC; 4.2 Increased number of children with birth certificates.
5. Raise awareness and advocate for the creation of a supportive environment for OVC.	**Strategy 5: Raise awareness and advocacy to create a supportive environment for OVC**; 5.1 Develop comprehensive stakeholder communication strategy; 5.2 Create general awareness of OVC at every level of society; 5.3 Advocate for the rights of the child at every level of society.	**Strategic Goal 5: Raise awareness and advocate for the creation of a supportive environment for OVC.** The Strategic Objective for the fifth strategy is: 5.1 Enhanced awareness of the right of OVC at every level of society.
6. Engage the civil society sector and business community in playing an active role to support the plight of orphans and children made vulnerable by HIV and AIDS	**Strategy 6: Engage the business community to play an active role in supporting the plight of OVC**; cuts across all the other strategies by focusing on stakeholder joint ventures and resource mobilisation initiatives.	**Strategic Goal 6: Strengthen mechanisms to drive and support the implementation of the NAP.** The Strategic Objectives for the sixth strategy are: 6.1. Enhanced organisational excellence; 6.2. Improved evaluation and research; 6.3 Institutionalise routine monitoring and reporting system

In both NAP 2006-2008 and 2009-2012 log frames were developed, highlighting the strategic objectives, outcomes, indicators and costs required in order to achieve each of the strategic goals. In terms of the NAP, Strategy 1, or Strategic goal one, aims at 'strengthening and supporting the capacity of families to protect and care for OVC'. In the 2006/08 NAP, the aim of strategic objective 1.3 is to, '(m)ainstream succession planning into intervention programmes for OVC' and in terms of NAP 2009/12 strategic objective 1.4 aims at the '(e)nhanced support for family succession planning and

security of inheritance for children'. Strategic objective 1.3 laid the foundation for the development of the pilot of the succession planning case study on which this research study is based and the later strategic objective 1.4 influenced the continued roll-out of the succession planning project.

The second case study, the children's act project, is founded on the objectives contained in section 28 of the Constitution and the Children's Act which aim at ensuring the right of a child to participate in his or her own decision making and to be informed in all matters that affect children. Additionally, in terms of the overall objective of both DSD and UNICEF there is a responsibility to ensure that the Children's Act is accessible and understood by all children. To do this there is a need to: 1) develop child friendly versions of legal and policy documents; and 2) ensure that children are made aware of the relevance such information, through education or other child centred approaches: such as training programmes aimed at children or at their care givers.

4.5 Conclusion

The first part of this chapter described the evolution of a more child-centred approach that had taken hold long before South Africa's democratic change in 1994. It highlighted the pivotal role played by a network of CSOs, local and international, in ensuring that the rights of all children in South Africa were a priority by the time the new government was in place. After setting out the early steps followed by the CSO network in formulating a National Programme of Action for Children, later influencing the introduction and acceptance by government of the National Plan of Action for Children, the chapter then explores the path taken by government, and CSOs, in the formulation, development and finalisation of the Children's Act.

With respect to the Children's Act, this chapter specifically explored the strategic role played by a close-knit network of child advocacy actors (similar to an epistemic community) in the formulation and development of a new comprehensive law for children — often running parallel to the parliamentary process. This tight core of CSO actors, the Children's Bill Working Group, consisted of academics, NPOs, lawyers and researchers who were responsible for initiating and participating in a well-planned and strategic campaign aimed at guaranteeing the continued protection and fulfilment of the rights and interests of children. It highlighted the varying and shifting roles played by CSOs during the different stages of the law making process, moving from an epistemic community, to an issue network and advocacy coalition, then participating in the law

making process as a policy community, engaging with the executive and Parliament.

It indicated the value of mobilising a broad network of actors (issue network) in order to strengthen the CSO cause and thus build a united CSO voice. The process and strategies utilised by the CSO network had a direct impact on the Children's Act and it can be said that were it not for the Campaign initiated in early 2003 the Childrens Act would not be the same Childrens Act it is today. The reflections shared, on the progress of the Children's Bill through parliament were taken from an interview with a representative from one of the primary NGO groups involved.

The next section in the chapter examines a specific development agenda relating to the growing understanding of HIV/AIDS and its impact on communities within and beyond the borders of South Africa. The notion of child vulnerability is explored, focussing on the impact of HIV/AIDS in communities already confronting issues of poverty and deprivation. The section then moves on to describe the process adopted, by state and non-state actors, in the formulation of strategic policy interventions aimed at developing an integrated and interrelated approach utilising the resources of all stakeholders in order to effectively deliver on their obligations for OVC. Attention is drawn to the specific role played by international agencies, such as UNICEF, in initiating many of the policies and laws aimed at the protection and care of all children in South Africa.

The chapter finally identifies the highlights in the development of policies and intervention strategies aimed at addressing the issue of orphans and vulnerable children, infected and affected by HIV/AIDS (OVC). The policies and strategies highlighted in this chapter are the foundation on which the two case studies, which inform this research is based. The subsequent chapters will explore the implementation process followed in these two case studies using the lens of the policy network approach as a tool for analysis.

Chapter 5 : The Implementation of policy in a network setting

5.1 Introduction

> 'Laws, national and international, are after all, words on paper. They may codify attitudes, but the real results depend on how they are implemented and what is done to follow up to reach the ideals'[856].

Chapter 4 highlighted the development of the legal and policy framework aimed at putting children at the centre of decision making, by both state and non-state actors. After investigating the lengthy law reform process followed in developing the Children's Act, the chapter concluded with an examination of policies and strategies specifically designed to address the care and protection of orphans and vulnerable children (OVC) in South Africa. It is argued in this thesis that the strength of the policy network approach is that policy implementation is an important phase of policy making and that through an examination of the implementation phase one is able to gauge the effectiveness of community policies in relation the objectives sought'[857]. Therefore, the next part of the research on policy networks in South Africa uses the policy network approach as a lens to examine the implementation process adopted in the selected case study sites — the succession planning and children's act projects.

This chapter introduces the two case study sites providing the foundation on which the network structures developed. These two case studies are community based projects capacitating a network of service providers in the areas specifically identified by core actors in the network[858]. Certain of these actors were the lead actors responsible for initially identifying and mobilising the various stakeholders involved in the two projects. Keast *et al.* point out that network structures differ from traditional organisational structures because there is no-one actor who is in charge. They go on to say that 'this situation does not mean that there may not be a lead agency, foundation or other not for profit organisation who sets up the formal rules of the collaboration'[859], as was the case in both of the case studies.

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[856] Flekkoy 1999 at page 218

[857] Bache, I. & Marshall, A. 2004. 'Europeanisation and Domestic Change: A Governance Approach to Institutional Adaptation in Britain. *Queens Papers of Europeanisation,* (4), page 8.

[858] In the succession planning project, DSD, UNICEF and NACCA and in the children's act project, HPCA, Cotlands and Street Law (Wits).

[859] Keast, R., Mandell, M., Brown, K. & Woolcock, G. 2004. 'Network structures: working differently and changing expectations', *Public Administration Review,* Vol 64, No 3, page 9.

Networks consist of mutually interdependent actors who need to combine their resources (knowledge, finances or skills) in order to realise a shared or common interest. The strength of a network lies in the diverse mix of actors who bring the resource-based power of the organisation they represent and their passion or willingness to make the network succeed in solving challenges[860]. These mutually interdependent relationships are built on trust, unlike traditional hierarchical relationships which are based on hierarchical command and power. Thus, in this study, the actors' roles in the network, their interaction and the relationships that are able to develop are integral to an examination on implementation in the two case studies.

The study, on implementation within a network structure, was primarily qualitative in nature, particularly when investigating each phase of the process followed. Interviews, observation of meetings and workshops, communication between actors[861], evaluation reports and focus group discussions[862] all provided the data for the qualitative part of the assessment. The quantitative assessment was based on survey data gathered during the implementation of the succession planning roll-out[863]. In contrast to the data gathered for the succession planning project, no survey data was gathered during the children's act project roll-out due to the limited duration, size and extent of the network. Therefore this project explored and analysed in Chapter 7, did not lend itself to a quantitative analysis of this nature. The data gathered in both projects sought to answer the remaining two research questions, where it was asked:

> How, and in what way, do actors working within a networking arrangement make progress toward meeting the needs of OVC as set down in policy and implemented through the two case study projects — the children's act and succession planning projects?

The final sub question then asked:

> What was the outcome of capacitating a network of resource people — as identified in the two case studies — on the target audience and what is the potential for on-going program development in this area?

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[860] McGuire & Agranoff. 2007. Answering the Big Questions, Asking the Bigger Questions: Expanding the Public Network Management Empirical Research Agenda Prepared for presentation at the 9th Public Management Research Conference, Tucson, Arizona, page 21.

[861] Primarily email communication.

[862] Carried out in terms of the pilot and roll out of the two projects.

[863] This data was gathered under the auspices of the project during implementation.

5.2 Shared fundamentals

The two case study sites that were selected for this research originated from the legal and policy framework based on the Children's Act and on the 2005 South African Policy Framework for OVC. Through strategic partnerships between DSD — the government department primarily responsible for the protection and care of children — other governmental sectors, and with actors from civil society and international agencies such as UNICEF, objectives for policy implementation were developed and programme activities identified.

Of the two case studies, the succession planning project consistently engaged with the same high end network actors throughout the five years of the study, from development of programme strategies and objectives through to implementation[864]. In the same period, changes were made to the network arrangement through the introduction of additional actors who were responsible for technical support and service provision. At this level consistency was retained by the continued presence of the technical consultant, Colgan and the involvement of Street Law (Wits) based at the University of the Witwatersrand.

In comparison, the original network involved in the children's act project went through several changes. Initially during the planning (Phase 1) and materials development phase (Phase 2) the child-friendly version of the Children's Act was developed in partnership with DSD, UNICEF and two non-government organisations who came together as a project team — Wits Enterprise and Street Law (Wits). This network structure then shifted during implementation of the training workshops — during the pilot and roll-out phases (Phase 3 and 4). The project fell under the auspices of Hospice Palliative Care Association (HPCA), a national umbrella body with wide network links throughout South Africa, working in close collaboration with Street Law (Wits). Training was focussed on one province only, Gauteng, with an affiliate of HPCA that specifically worked with vulnerable children, Cotlands Children's Hospice. Once again consistency was retained through the involvement of Street Law (Wits) as the organisation responsible for the development of the material and the training programme.

Nonetheless, in spite of the differences between the two case studies both projects shared similar objectives that aimed at: 1) capacitating resource people in the field; and 2) bridging the gap between reality on the ground (de facto) and the existing legal

[864] From the period 2006, when negotiations were initiated, to 2011, when the final roll out of the DSD/NACCA project was run.

protections and rights (de jure). Both projects also proceeded along similar phases during the process of implementation. The overall implementation of both case studies could be categorized into six key phases: 1) strategic planning; 2) research, design, and development; 3) pilot of training workshops; 4) evaluation of pilot; 5) roll-out of training workshops with report back; and 6) confirmatory workshop follow up. For the purposes of this research study, Phases 3 and 4 have been combined so the study looks at the following:

Phase 1: Planning – Determining Terms of Reference (TOR) and outcomes;
Phase 2: Research, design and development;
Phase 3: Pilot of training workshops and pilot evaluation;
Phase 4: Roll-out of training workshops;
Phase 5: Confirmatory workshops.

5.3 Network actors

During implementation the same high end network of actors responsible for formulating policy, on which the two case studies were based, also played a part in the policy implementation process. Here the network actors shared a common purpose aimed at ensuring the protection and care of all children in South Africa with a specific interest on vulnerable children. The network actors who participated in the formulation and initial implementation of the case studies were DSD and UNICEF. In the larger case study, the succession planning project, DSD and UNICEF remained central to the network during all phases of project implementation, with the NACCA steering committee taking on the role of overseeing and ensuring the project achieved its planned outcomes. In the smaller children's act project, during the pilot and roll-out of training (Phases 3 to 4), neither DSD nor UNICEF were engaged as actors in the network.

5.3.1 High end actors: Background

As signatory to a number of international instruments, such as the CRC and the African Children's Charter and, by providing constitutional status to the rights and welfare of children, South Africa now has an obligation to protect, promote, care and enforce the rights of all children in the country. The benchmark used in the review of proceedings where decisions about children are being made, is founded on the principle that the

'best interests of the child come first'[865]. This means that all law, policy and programmatic strategies aimed at children must be measured against this principle. In terms of the Children's Act, which is a comprehensive embodiment of South Africa's international and constitutional obligations toward its children, Government recognizes that it needs to partner with other organisations from within and outside of government, in order to address the needs of vulnerable children. As the then Minister of social development, Dr Zola Skweyiya, said at a 2008 conference, 'Getting South Africa Ready to Implement the Children's Act':

> Active participation of all relevant stakeholders is needed to ensure the realisation of child rights in South Africa. The draft National Policy for the Advancement and Coordination of Child Rights (2008) recognises the importance of 4 pillars of society in child-centred governance, namely: 1) Government; 2) Parliament; 3) Civil Society; and 4) Independent bodies (such as the Human Rights Commission, the Youth Commission, and the public protector). Co-operative governance structures create the forums necessary to bring these role-players together[866].

Therefore, in many of the child rights processes adopted by government, including the development of the Children's Act, government has worked in a close partnership with civil society organisations and international agencies such as UNICEF and Save the Children Fund (UK). The roles that certain of these partners have played in achieving the end goal, the fulfilment of the rights of children who live in South Africa is discussed in greater detail in the following section.

5.3.1.1 UNICEF

UNICEF as an international agency mandated by the United Nations General Assembly and guided by the CRC, is driven by its primary objective to advocate for the rights of all children in the world so that the basic needs of children are met and they have the opportunity to live up to their full potential[867]. UNICEF has developed the concept, 'investing in children', which means that when societies elect to adopt a child rights approach they are 'obligated to find the resources to ensure the fulfilment of these

[865] Sloth-Nielson, J. 1996. 'Chicken soup or chainsaws: Some implications of the constitutionalisation of children's rights in South Africa'. In: R. Keightley (ed). *Children's Rights*. Children's Institute & UNICEF, page 25.

[866] Giese, S. & Saunders, B. 2008. *A rapid review of Co-operative Governance structures relevant to Children in South Africa*, page 8.

[867] UNICEF website. http://www.unicef.org/SouthAfrica/ last sourced 6th January 2014. Cooperative governance structures for children, Giese & Sanders see note 866 at 8.

rights for all children'[868]. According to UNICEF, '(t)he working hypothesis is that integrating the child rights perspective in national budget-making processes transforms the way societies act for desired institutional and social change'[869].

The global strategic priorities of UNICEF, applicable in South Africa during the period of both case studies, range from: protecting the rights of children living within the context of HIV and AIDS; ensuring basic education and gender equality; protecting children from violence and abuse; and policy advocacy for children's rights[870]. The operating blueprint guiding UNICEF's work, under agreement with the Government of South Africa, is the United Nations Development Assistance Framework (UNDAF)[871]. Through a Country Programme, UNICEF works in partnership with the South African government, offering guidance and technical support in the specific areas of health and nutrition, early childhood development, basic education, child protection and social policy, planning, monitoring and evaluation. In terms of its partnership with government, UNICEF ensures that all programmes are coordinated through the relevant government department and in alignment with Government priorities[872]. UNICEF South Africa's country office is based in Pretoria and it carries out regional operations at a national and provincial level in partnership with a range of actors from government; other international agencies, and; civil society.

As the lead government department responsible for OVC programming and child protection, DSD has partnered with UNICEF in a number of key areas aimed at the improvement of child well-being in South Africa. Of relevance to this study, is the integral part played by both DSD and UNICEF in overseeing the process of policy programming and implementation for OVC through the NACCA steering committee[873]. Additionally, in terms of UNICEF programme objectives and in line with DSD priorities, two key areas were the basis of the projects used in this research study: 1) the succession planning project; and 2) the children's act project.

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[868] Parliamentary Monitoring Group (PMG). 2010. *UNICEF's Programmes and future workplan with Committee: Deputy Minister in Attendance.*24th May.

[869] PMG. See note 868.

[870] UNICEF website see note 867.

[871] PMG see note 868.

[872] In compliance with Country Agreement between UNICEF and Government. Interview with H. Loening-Voysey (UNICEF) March 2012.

[873] UNICEF's position of neutrality with respect to both Government and civil society resulted in it being able to take on a key facilitative and relationship building role during the development and support of NACCA. UNICEF's role, with respect to NACCA, has been described as being that of a mediator between Government and civil society: Martin, P., Mathambo, V. & Richter, L. 2011. *UNICEF OVC programme component evaluation*, HSRC, page 38-39.

The succession planning project fell under the work that UNICEF and DSD were carrying out in addressing the plight of OVC living in conditions of extreme deprivation. In terms of the UNICEF South African programme component entitled, 'Social protection for orphans and vulnerable children (OVC)', UNICEF has two key responsibilities or obligations. These are: 1) provide technical assistance to strengthen government and civil society capacities to implement and monitor quality services for OVC; and 2) develop capacities to establish community-based support structures that support OVC to access essential services[874] within the framework of the National Action Plan for Orphans and Children Made Vulnerable by HIV and AIDS (NAP)'[875]. The succession planning project has been highlighted as an objective in both the NAP 2006-2008 and 2009-2012.

With respect to the second project and a key priority in the partnership between DSD and UNICEF, sits the implementation of the Children's Act and Child Justice Act. UNICEF's primary focus was to assist DSD, in the development and publication of a child-friendly version of the Children's Act[876]. UNICEF's emphasis is on the advancement of child well-being and fundamental to their children's rights focus is the notion that children need to participate in their own decision-making. This needs a supportive environment where children are encouraged to participate and their voices can be heard[877]. As a result, UNICEF and DSD continue to engage with and support civil society partners in establishing more effective mechanisms to encourage child participation in decisions that affect their well-being, including the development of more accessible, child friendly versions of children's laws and policies.

It is because of the UNICEF brand, its international linkages and the organisations' credibility, that it has been able to partner with government and play a significant role in certain of the OVC programmes and in the collaborative networking role of NACCA. It has been said that, 'largely due to the role played by UNICEF on NACCA, NACCA is the only effective space for donor coordination around OVC priorities and initiatives and that 'It is an opportunity to discuss activities in terms of their alignment, success, evaluation plans and potential replication across provinces'[878].

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[874] UNICEF website see note 867.

[875] UNICEF website.

[876] UNICEF website.

[877] UNICEF website.

[878] Martin *et al.* see note 873 at 38-40.

5.3.1.2 Department of Social Development

The Department of Social Development (DSD) holds the primary mandate to facilitate human development and improve the quality of life by providing a comprehensive, integrated, sustainable and high-quality service aimed at reducing vulnerability and poverty. In order to achieve this objective, the department offers a number of programmes and services falling under the three broad programmes where they have a responsibility to provide[879]:

1. Comprehensive social security systems.
2. Developmental social welfare services.
3. Community development services.

All three services are of importance in ensuring the appropriate care and protection of children and families. However, the programmes of specific interest to this study fall under developmental social welfare services which cover 'a range of services and programmes that are directed at enhancing the capacities of people to address the causes and consequences of poverty and vulnerability'[880]. In carrying out its core functions DSD provides services through sustainable development programmes, facilitating intersectoral collaboration with a variety of implementing agents such as state-funded institutions, non-governmental organisations (NGOs), community-based organisations and faith-based organisations. These services are highlighted in the Children's Act and range from: *Prevention, Early intervention,* and *Reconstruction services to Home-* and *community-based care* and *Community care forums*[881].

In order to ensure the effective implementation of its responsibilities, DSD recognises the need for the collective involvement of various role players and has prioritised, in policy documents and in the DSD 10 point plan, partnering and collaborating with other departments within government and also with organisations outside government[882]. One of DSD's strongest partners, in terms of OVC and child protection, is UNICEF. In the protection of OVC, DSD and UNICEF have worked closely together, initiating the policy framework and the NAPs for OVC that were implemented through NACCA, as the principle coordinating body, and participating actively in the two research projects.

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[879] Department of Social Development (DSD). 2010. *Strategic Plan 2010-2015: Building a Caring Society Together*, page 13.

[880] Department of Social Development. 2006a. *Integrated service delivery model towards improved social services*, page 14.

[881] DSD. See note 880 page 6; Also Children's Act No 38 2005.

[882] DSD 10 Point Plan. www.dsd.gov.za/index.php?option=com_content&task=view&id=57&Itemid=102 last accessed 2 March 2015; Also DSD see note 880 at 6.

5.3.1.3 National Action Committee for Children Affected by HIV and AIDS

In 2002 at a National DSD conference DSD was given the mandate to establish coordinating mechanisms to ensure delivery on its policy objectives. Post the 2002 conference, DSD with the support and guidance of strategic partners such as UNICEF and Save the Children UK, set about establishing the National Action Committee for Children Affected by HIV and AIDS (NACCA). Based on the vision outlined in the conference recommendations, NACCA was established as a multi-sectoral structure where government departments, civil society organisations, development agencies and donor organisations could come together to ensure the successful implementation of policy and strategies aimed at OVC. It is through the NACCA structure that both the 2005 Policy Framework and the National plans of Action 2006 and 2009 have been developed. The objectives of NACCA as the national coordinating structure are:

1. To promote coordination between all stakeholders at all levels — government, non-governmental, civil society, private sector and labour — to effect action to realize the rights of orphans and other children made vulnerable by HIV and AIDS;
2. To share information with regard to issues and programmes for orphans and other children made vulnerable by HIV and AIDS;
3. To promote collaboration between stakeholders to improve services and programmes for orphans and children made vulnerable by HIV and AIDS;
4. To ensure ethical research is conducted into relevant issues and that the findings of research inform action to improve the circumstances of orphans and other children made vulnerable by HIV and AIDS;
5. To advocate, together with relevant stakeholders, to ensure that action to secure the rights of OVC remains a priority;
6. To mobilize and disburse resources for the implementation of the Policy Framework for Orphans and other children made vulnerable by HIV and AIDS[883].

The NACCA Steering Committee was initiated by joint consultation between Government Departments, civil society and NGOs, and is composed of representatives from government and civil society (Table 5.1). The steering committee ensured that the National Action Plan for Orphans and other Children made Vulnerable by HIV and AIDS

[883] DSD. 2011. *Guidelines for Coordination Structures for orphans and other children made vulnerable by HIV and AIDS*. Draft structure of guidelines Version 3 June 2011.

was implemented, outputs achieved and funds sourced and managed responsibly in accordance with its mandate given through the Policy Framework for Orphans and other Children made Vulnerable by HIV and AIDS.

Table 5.1: Stakeholders in the succession planning project[884]

GOVERNMENT	NACCA STEERING COMITTEE NATIONAL ORGANISATIONS	NACCA MEMBERS
DSD Secretariat DSD HIV Directorate DSD Children's Directorate Department of Health Department of Education Department of Agriculture	World Vision Nelson Mandela Children's Fund Child Welfare SA REPSSI Save the Children UNICEF	USAID PACT Childline NACCW Wits Heartbeat Muslim Care Support CARE IDDC Noah

At the time of the study, the steering committee met on a six weekly basis, while the broader NACCA stakeholder meetings were held twice per year. Reference teams also had scheduled meetings throughout the year. During the period of the study, a number of reference teams were in place so that the implementation of the National Action Plan was accelerated and implementation of the NAP, particularly with respect to the key focus area, received urgent priority. Within each reference team there was a convener and secretariat. Key areas of focus for each reference team were identified as:

1. Communication and Coordination mechanisms;
2. Psycho-social Care and Support;
3. Research, Monitoring and Evaluation.

Over the period 2007 to 2011 a number of coordinating problems relating to issues regarding the relevance and effectiveness of the NACCA structure, as a coordinating body, began to reveal themselves. Nonetheless despite these emerging issues, the successful implementation of certain key activities and fulfilment of objectives, such as the succession planning project did take place within the specified time and within the expected target groups.

[884] With respect to the children's act project, NACCA was not directly involved in the child-friendly initiative therefore a similar stakeholder group were not engaged in the process. Developing a child-friendly version of the Children's Act was an initiative of DSD and UNICEF with the overall aim being to distribute the information across South Africa and to use the developed materials for the official launch of the Children's Act No 38 of 2005.

5.4 The comparative case study sites

The two case studies were selected as suitable for a comparative case study approach because they shared basic similarities: 1) they were initiatives of both UNICEF and DSD; 2) Wits Enterprise and Street Law (Wits) were the original service providers in the planning (Phase 1) and development of the training material (Phase 2); and 3) they shared a common goal to capacitate resource people in communities through programmes aimed at demystifying the law. This next section provides the backdrop against which these two studies are examined.

In the target areas where the children's act and succession planning projects were to be conducted many individuals within communities, especially children, were facing extreme forms of deprivation on a daily basis. Families, already living in poverty, were confronted with specific challenges brought on by the environment in which they lived and the impact of illnesses such as HIV/AIDS. Children living in these circumstances were directly affected by the environment and the plight of their caregivers resulting in the denial of basic rights and protections afforded them in the CRC and Constitution.

Both the children's act and succession planning projects shared the underlying intention to develop the capacity of caregivers, families and ultimately the children. Therefore the objective of each project was to develop the skills and knowledge of appropriately placed resource people, living and working in the targeted communities. How each project carried out their individual objectives, differed at various levels, in response to the differing needs and environment of the target groups. Additionally the projects were noticeably dissimilar with respect to their size, availability of resources (financial and personal) and the spread of the trained participants (resource people). Similarities between the two lay in the shared objectives and the step by step process followed to address the existing gap between law and reality.

The following section introduces the two case studies providing the background to the development of the two. The first case study to be analysed was the succession planning project introduced in Chapter 4 section 4.4 and examined from a qualitative and quantitative perspective in Chapter 6. The second case study, the children's act project was introduced in section 4.3 and was examined using a qualitative approach in Chapter 7.

5.4.1 Case Study 1: The succession planning project

The succession planning project as the larger of the two case studies was a more complex network structure involving a wide variety of actors and stakeholders, requiring a greater number of resources and skills and taking place over a lengthy period of time. Therefore the project was identified as an ideal site for a case study on the implementation of policy within a network, calling for a collaborative, yet interdependent mix of actors. This section introduces the succession planning project.

5.4.1.1 Programme objectives and activities

The South African government, influenced by the Global Framework 2004 set about producing a blueprint for the care of OVC through the collaborative efforts of DSD, UNICEF, Save the Children, Department of Health, Department of Education and NACCA[885]. The South African Framework for OVC 'reflects the collective commitment of government, faith-based organisations, community-based organisations, civil society and the business sector and serves as a guiding tool to all people involved in HIV and AIDS and the children's sector'[886]. Section 3 of the South African Framework highlights the need for a coordinated response to realise the rights of OVC and to advance the social development agenda[887] and states that, '(t)he requirements of OVC are wide-ranging and no single ministry, department or sector can be solely responsible for addressing the consequences of the HIV and AIDS epidemic'[888].

Section 5 of the South African Framework sets out six key strategies that are needed at a programmatic level so as to:

1. Strengthen and support *the capacity of families* to protect and care;
2. Mobilise and strengthen *community-based responses* for the care, support and protection of orphans and other children made vulnerable by HIV and AIDS;
3. Ensure that legislation, policy; strategies and programmes are in place to protect *the most vulnerable children;*
4. Assure access for orphans and children made vulnerable by HIV and AIDS to *essential services;*
5. *Raise awareness and advocate* for the creation of a supportive environment for

[885] Department of Social Development (DSD). 2005. *Policy Framework on Orphans and Other Children made Vulnerable by HIV/AIDS*, page 15 of 55.

[886] Forward by Z Skwiyeya (the Minister of Social Development) see note 885.

[887] DSD. See note 885 at 15 of 55.

[888] DSD. See note 885.

OVC;

6. *Engage the civil society sector and business community* to play an active role to support the plight of orphans and children made vulnerable by HIV and AIDS[889].

Under each of the six key strategies listed, a brief description of the planned programmatic interventions is given. Of relevance to this research study is strategic intervention 5.1.1 of the South African Framework, which aims to: '(s)trengthen and support the capacity of families to care and support OVC'. The detailed programmatic intervention referring to succession planning under this strategy is stated as providing: '(s)upport for family succession planning and security of inheritance for children'. This strategic intervention is highlighted in both the National Action Plan for OVC in 2006-2008 at section 1.3 and in NAP 2009-2012 at section 1.4. The broad action objective outlined in section 1.3 of the 2006 NAP for OVC is to: '(m)ainstream succession planning into intervention programmes for OVC'. The programme activity identified to achieve this objective is to: '(d)evelop training programmes for NGO's and other service delivery agencies on succession planning'. Thus, the indicator for a successful implementation of this task will be reflected in the number of NGOs and other service delivery agencies that are subsequently trained in succession planning.

As the succession planning project was the better resourced and established of the two case studies it therefore offered a more coherent implementation process for examination and analysis at both a qualitative and quantitative level. The project itself followed a clearly outlined process from formulation and development of policy — originating in terms of the South African Framework — through to implementation, translated from the strategic goals and objectives as set down in sections 1.3 and 1.4 of NAP 2006-2008 and 2009-2012 respectively.

A strong, collaborative partnership, lasting for over five years, came out of the development of the three policy documents and the project itself. A tight-knit partnership existed between DSD, UNICEF and NACCA, the lead actors in the policy process ─ from inception through to completion. The succession planning project proved its value as a product, illustrating a flexibility and resilience during times when blockages threatened to interfere with the successful completion of the project. Network actors endured delays, programmatic adjustments and conflict both at management level and between the network actors themselves.

[889] DSD. See note 885, section 5 at 38 of 55.

This case study established the foundation for the overall research and was the first project to be introduced, described and analysed in Chapter 6. Following on, in Chapter 7, the children's act project was examined and compared, illustrating a less complex process of implementation. With fewer actors participating in the children's act project, challenges were noticeably reduced. Yet, on the other hand, without buy-in from the wider network of actors, providing the additional and necessary resources, the project struggled to sustain itself beyond the pilot (Phase 3) of the project.

5.4.1.2 Poverty and illness

With the spread of the HIV/AIDS epidemic, communities already suffering from multiple deprivations resulting from poverty and inequality have found it almost impossible to break free from the cycle of poverty they find themselves in. HIV/AIDS significantly impacted on the ability of households to cope with the economic and social deprivation initially brought on by the cost of the illness and then by the loss of a primary caregiver, breadwinner, or both. The scale of poverty in areas hardest hit by the epidemic is further exacerbated by the decrease in the number of productive members in the community and the increase in orphan numbers, placing an additional burden of care on the shoulders of women, elderly caregivers and even children, all with limited access to very few resources[890]. As stated in a focus group discussion with NGO participants:

> *'How often is it that you go to the house and the goga is sitting there and crying with the baby and the children because the mother has just died and there's a new grave and she just needs you to give her a kick-start. She can't do it on her own'*[891].

The reality is that many of the old networks of care have fallen away or are overburdened and the existing support structure is unable to deal with the problem[892]. Unfortunately, in such circumstances, 'not only are many orphans compelled to care for themselves, but they also have to defend their property and inheritance rights from both relatives and neighbours'[893], as was confirmed in a focus group discussion:

> *'Hey this is one big problem you will find that the parents when they passed away they don't even tell the family where the children are supposed to go. They die like that and the children are left in the house like that. And sometimes you find that, most like, the uncles*

[890] Colgan, D. 2007. *NACCA Report on Focus Group Findings (UNICEF)*. Wits Enterprise/Street Law (Wits).

[891] NGO respondent, 2007, Pietermaritzburg. KwaZulu-Natal.

[892] Rose, L. 2006. *Children's property and inheritance rights and their livelihoods,* LSP Working Paper *39,* Food and Agriculture Organisations of the United Nations.

[893] Rose see note 892.

they come to fight for the property. They want to take away the property. Others they want to chase the children away, you find those children living in the street'[894].

When there is a lack of or insufficient preparation for death for various reasons, be it a fear of jinxing oneself or due to cultural beliefs or simply a lack of knowledge, children are often hardest hit. Without clarity regarding the deceased's wishes the resulting uncertainty often causes family disputes, not only over property but over identity documents, the deceased's remains or the children who are left behind. Failure to put plans in place leads to a situation where families, who should be grieving, are subjected to additional stress and trauma. The confusion of dealing with a deceased estate, without guidance or knowledge, often leads to families never claiming an inheritance or failing to report an estate to the proper authorities[895].

Succession planning aims to address the way in which families prepare for the death of a breadwinner or caregiver. The objective of the succession planning project was to increase the knowledge and understanding of a variety of resource people, working at a grass roots level, on succession planning processes and the law of inheritance so that children and their families can claim their legitimate right to an inheritance. To deny families and children their right to what is theirs by birth and to subject children, who have already lost their primary caregivers, to even more loss and trauma is inhumane. By failing to provide families and children with both information and a remedy to their property and inheritance issues, children's rights and the right to social justice will be violated, as was stated by Rose:

'Any National property and inheritance laws and policies which insufficiently address children's property and inheritance rights or otherwise impose undue hardships upon children in their efforts to maintain these rights violate international Human Rights law, with guaranteed rights to information, to protection of the law, to legal inheritance rights and to effective remedy'[896].

5.4.1.3 Legal framework

In South Africa there is a comprehensive legal framework in place ensuring the protection of testator's right to bequeath his/her assets and the right of heirs and beneficiaries to claim an inheritance or bequest. Additionally, the Constitution protects

[894] Caregiver. 2007. Soweto, Gauteng.

[895] Colgan see note 890.

[896] Rose see note 892.

against any unfair or discriminatory practices followed where the welfare and rights of a family, particularly children, is under threat as a result of unfair customary law or religious practices[897]. In order to address the unconstitutionality of the existing practice and prevent the denial of widows and children of their right to property and inheritance, the Reform of the Customary Law of Succession and Related Matters Act 11 of 2009 was subsequently enacted.

There are a wide variety of statutes in place at the current time that set about clarifying and formalizing inheritance, property rights and deceased estates. These are set down in Acts such as the Wills Act 1953, the Law of Succession Act 81 of 1987[898], as amended and the Administration of Estates Act 66 of 1965. In addition spouses and descendants, particularly minor children, are specifically provided for in terms of the marriage laws, the Maintenance of Surviving Spouses Act 27 of 1990 and the Children's Act 38 of 2005.

The reality on the ground does not indicate that these formal protections are being used or are offering any form of relief to those who live in communities where resources are short, access to legal assistance is limited, and processes are confusing, cumbersome and time consuming. Additionally a child's right to own property and claim an inheritance falls under the care of adult guardians who represent their property interests until they reach the age of majority or when they marry[899]. This raises two concerns, firstly that adults may be unaware of the legal process involved in reporting and winding up a deceased estate and the estate may be distributed unfairly, or secondly they may take advantage of their position as adults. As was said in a focus group discussion:

> *'This woman lived with her boyfriend and their child in Durban. After his death, his family came from the rural area where he was originally from and took away all the families movable property and they left nothing. The man's family went and reported his death to the Master's office and did not report that the man had a child. All the money from his estate was paid out to the man's family and his child got nothing'[900].*

In spite of the hardship caused by the denial or loss of a child's right to her or his family inheritance and property, researchers and child rights advocates seldom if ever include

[897] In terms of African customary law primogeniture refers to the fact that the eldest male relative steps into the shoes of the deceased and takes up the deceased's responsibilities and property in order to care for the deceased's family.

[898] Law of Succession Amendment Act 43 of 1992.

[899] Rose see note 892.

[900] NGO. 2007. Pietermaritzburg, KZN.

the child's right to property and an inheritance in the debate about children's rights[901]. Rights that take precedence in this debate often focus on the care and protection of children[902], ignoring the impact that denial of a child's property claims will have on their future security and livelihood[903].

In many ways, because of this oversight, many of the more formal legal processes have similarly not adjusted appropriately to the current realities confronting children, particularly those who live in marginalized or rural communities, who have lost their parents to HIV/AIDS and other causes. With the disintegration or break down of the 'old support structures', guardianship offers limited care or protection in circumstances where adults are absent, unable or unwilling to take on a guardianship role[904], or where children are the caregivers in the home[905]. In the rights context, Rose argues, a child's property or inheritance rights are the 'foundation of a children's rights framework' particularly in an environment where the old context has shifted and 'in the current changing social, political, and economic contexts of southern and eastern Africa, such rights must be achieved before other rights can be realized'[906].

With this in mind, a successful outcome for a project, aiming to alleviate poverty through the application of succession planning, would be to bridge the existing gap between legal protection (de jure) and the reality on the ground (de facto). This reality is one where children and families are not protected in terms of their property and inheritance rights, be it through lack of knowledge about the law or lack of resources to claim their rights. Therefore, a project that aims to address this gap will need to build the capacity of individuals to claim their rights either through the use of a network of resource people within the community or through their own acquisition of information.

5.4.2 Case Study 2: The children's act project

The children's act project was founded on the belief that all children in South Africa had certain primary rights, protections and responsibilities in terms of international and national law, yet many children and their caregivers remained unaware of their legal

[901] Rose see note 892.

[902] Which this author concedes are understandably important but should not be seen as separated from a childs right to security through an inheritance.

[903] Rose see note 892. Recently in an interview with a UNICEF representative it was said that close on R80 000 000 remains unclaimed in the Guardian's Fund. This means that funds for children who have lost caregiver/s are not being accessed.

[904] HPCA case reported to D Colgan through N Gunn Clark (HPCA).

[905] Rose see note 892.

[906] Rose see note 892 at 16.

rights and duties. The project's vision aimed at enabling children and their caregivers to access basic legal information in order to develop an understanding of the law, rights and resources relating to children in South Africa. Children also have a right to make informed choices and to be heard. To do this a child friendly version of children's laws such as the Children's Act needed to be developed. The next section explores the background and purpose behind the children's act project.

5.4.2.1 Programme objectives and activities

For children to participate and have a voice, they need to be aware of and understand the different laws and rights that affect and impact upon them. To do this complex legal documents and laws, such as the Children's Act, need to become more accessible for children and the adults who care for them. Thus, the second case study of this dissertation, the children's act project, had as its primary focus the demystification of children's laws and regulations for children and their caregivers. The children's act project set out to develop:

1. A child-friendly version of the Children's Act; and
2. To carry out a series of training workshops specifically aimed at increasing the knowledge of child-caregivers on the new Children's Act and applicable regulations.

This case study, examined the children's act project in terms of the policy network approach using data gathered primarily from documentary sources such as: email communications; minutes of meetings; evaluation reports, and through observation. There were also one on one interviews held with key actors involved in the project.

The children's act project was the smaller of the two case studies, less well-resourced and operated within a tight-knit, core group of network actors in each phase; yet did not engage with the same core actors throughout. During the planning (Phase 1) and the research, design and development of the materials (Phase 2) the core network comprised of UNICEF, DSD, Wits Enterprise and Street Law (Wits). This core subsequently changed during the pilot (Phase 3) and training roll-out (Phase 4), with Street Law (Wits) entering into a new partnership with two other NGOs in order to continue with the implementation of the pilot and subsequent training roll-out.

The project commenced with the initial development of a series of booklets called 'The Children's Act Explained: the child-friendly version of the Children's Act'. The decision

to develop a child-friendly version of the Children's Act falls directly in line with the notion of child participation as set down in the CRC and the African Charter. This earlier development phase of the project was a UNICEF and DSD initiative aimed at creating opportunities for young people and their carers to increase their understanding of rights, protections and responsibilities for children. The series of booklets produced were both reader-friendly and accessible.

Once the completed booklets were presented, with some fanfare, at the launch of the Children's Act[907], the project then evolved into a small collaborative partnership between three independent organisations: Street Law (Wits); Hospice Palliative Care Association (HPCA); and, Cotlands Children's Hospice, Gauteng (Cotlands). Where during the third phase of the project focus shifted to introducing and training adults on the Children's Act through the use and guidance of the child-friendly booklets. The adults who participated in the training workshops were all employed through Cotlands Children's Hospice (Cotlands), a community development organisation working with young children in the palliative care context. Cotlands became involved in the project because of: 1) its own close ties with the Hospice Palliative Care Association (HPCA); and 2) its express need to increase and develop the awareness of key staff members on the Children's Act and recently developed regulations.

5.4.2.2 The background to the children's act project

When debating the protection and promotion of children's rights the focus is around the adoption of a more child-centred approach which also means that any discussion on the rights of a child needs to take cognisance of children's voices[908]. This call for recognition of a child's right to participate in decisions affecting him or her became an integral part of the development of an inclusive, child-centred approach in South Africa. This has resulted in the ideal of child participation being applied at various points in the development of a more child centred legal framework for South Africa.

The very notion of participation in terms of the CRC, African Charter and Children's Act is a complex and contested one. In the early stages of the child's rights movement in South Africa, the voices and opinions of children were foundational in many debates and discussions leading up to the development of a Children's Charter at the Children's

[907] Launch of the booklets coincided with launch of Child Protection Week campaign and launch of the Child Justice Act, 2008, which came into effect on 1 April 2010. This took place in Atteridgeville, Pretoria by President Jacob Zuma on 21st May 2010.

[908] Smart, R. 2003. *Policies for Orphans and Vulnerable Children: A Framework for Moving Ahead,* Policy, USAID, page 18: Child participation is a key principle in the CRC.

Summit in 1992[909] and later during the workshops and conferences that preceded the development of the Children's Act. The children's act project builds on the experience during this period and is influenced by the argument in the CRC that 'children's participation is a fundamental human right' and in order for children to participate meaningfully, they have the right to be provided with accessible information that is both language and age-appropriate so they are empowered to make informed choices and be able to offer reasoned views[910].

The criticism, by many child activists about the notion of child participation, is directed at the adult centred approach often used in child participation forums and the fact that our children's laws are biased toward the protection of children[911]. This therefore impacts on the way in which adults view children, leading to 'a general devaluing of children's inputs from home environment to State structures'[912]. If child participation is to be realistically addressed, consideration needs to be taken of adopting a multi-layered approach and addressing child participation from the bottom-up thus providing opportunity for, 'greater recognition and legitimisation of children's informal participation in the everyday spheres of home, community and school as a pre-requisite platform for extending and enhancing children's participation in more formal arenas'[913].

Viviers of UNICEF points out that, '(i)nvolving children through public participation requires special skills and knowledge of children's participation; ethical principles in children's participation; and, most importantly, an enabling environment'[914]. Furthermore, adults who work with children, or hold a position of authority, such as a school principal or counsellor[915], who are able to promote and create enabling environments for children to begin to participate, will also need exposure and awareness building around the laws and rights of children, particularly with respect to the recent developments in the South African Children's laws. This meant that, in order to 'promote and create an enabling environment' for child participation, the development of the child-friendly version of the Children's Act was simply the first step in a multi-layered process. Thus the objective behind the children's act project was to follow on

[909] Also in a later Summit held in Durban in 1999.

[910] Lansdown, G. 2001. *Promoting Children's Participation in Democratic Decision-Making,* page 10 and page 2-3.

[911] Moses, S. 2008. 'Children and participation in South Africa: An Overview'. *International Journal of Children's Rights* 16, page 337.

[912] Moses see note 911 at 337.

[913] Moses at page 337.

[914] Viviers, A. 2010. *The Ethics of Child Participation*. Pretoria: University of Pretoria. (Master of Social Work Dissertation).

[915] Viviers see note 914.

from this first step and build an awareness of the changes to the children's laws through initially targeting adults who work with children, such as counsellors and educators.

5.4.2.3 Legal framework

The development of the Children's Act highlighted the value of involving a number of actors from government and civil society in contributing toward the policy process. As outlined in Chapter 4, were it not for the contribution and knowledge provided by the various child advocacy groups during this period, certain key rights and protections for children may never have been incorporated into our children's laws. Thus, the Children's Act marks the successful culmination of the vision, expressed by the South African Law Reform Commission (SALRC) in 1997, to align South Africa's children's laws with both international and constitutional standards and to do so through a single Children's law, in the form of the Children's Act[916]. The development of this new law points to the commitment of the South African government in ensuring that all children in South Africa are provided with the basic standards as set down in the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of Children (the African Charter). In terms of the CRC, four basic principles or categories of rights for children are fundamental: 'protection from all forms of discrimination; the prevention of harm to children; the provision of assistance for basic needs and the participation of children in all decisions that concern them.

The rights of all children in South Africa are therefore protected at both an international and national level. In terms of the South African Constitution children are afforded unique protections because they not only carry the same rights as adults but they are also given certain rights that only apply to them. Thus the rights of children to development, health care, education and social services are uniquely and specifically protected within our constitutional framework. In addition the best interests of the child are regarded as paramount in all matters concerning children. Such a child-centred approach demands that children are recognised as rights holders and in this context the Children's Act protects the rights of children to be heard and to participate in any major decisions that may impact upon the child, depending upon the age and level of maturity of that child (Sections 10 and 31 respectively) [917].

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[916] Referring to the rights and protections afforded children, other children's law related to criminal matters, domestic issues or sexual abuse will fall under the Child Justice Act, Domestic Violence Act and Sexual Offences Act and fall outside of the ambit of the case studies.

[917] Children's Act of South Africa No. 38 of 2005; In terms of the Children's Act 2005 a child is defined as 'a person under the age of 18 years.'

5.5 Conclusion

In the two case studies, the succession planning and children's act project, participants from civil society and government came together to implement policy aimed at capacitating resource people in order to improve the network of support for certain vulnerable communities. The primary objective of the two identified projects was the provision of information on relevant laws, policies and legal processes so as to improve the knowledge and understanding of these key resource people.

To examine and compare the two case studies, and answer the research questions posed in the study, the policy network approach provided the framework against which project implementation was examined and analysed. The two chapters that follow, Chapters 6 and 7, present an in-depth exploration and comparative analysis of the implementation process adopted in both case studies.

Chapter 6, as the larger of the two projects, provided a step by step descriptive analysis of the process followed during the initial phases of project planning and materials development, finally drawing to a close after an extensive roll-out of training workshops. After the pilot of the training was completed (Phase 3), qualitative and quantitative techniques were utilised to examine the implementation of policy in a network structure.

Chapter 7 introduces and outlines the first and second phases of the project, examining the iterative process followed during development of the three booklets where DSD, UNICEF, Wits Enterprise and Street Law (Wits) worked closely together within a limited period of time to produce these booklets. The chapter then moves on to examine the pilot of the training programme and the later training roll-out — whilst examining actor relationships through the lens of the policy network approach and answering the questions posed in the research study.

Chapter 6 : The Succession Planning Project – Research Results from Case Study 1

6.1 Introduction

This chapter examines the unfolding policy implementation practice of the larger of the two case studies, the succession planning project. This unique case study adopts a participatory research based approach in tracking the implementation of policy through network operations in South Africa. In the study, the implementation process proceeds through five phases and is divided into four distinct sections. The first section encompasses the initial three phases of implementation — planning (Phase 1), research, design and development (Phase 2) and the pilot training (Phase 3), taking over a year to complete[918]. These three phases were carried out in terms of the National Action Plan for Orphans and Other Children Made Vulnerable by HIV and AIDS (NAP) 2006-2008. As policy network studies are a new phenomenon in South Africa, this section of the study records in detail the implementation process followed in the first three phases. The mapping and description of the evolving process is regarded as essential in a study on how network operations come into being.

The second section (Part 1 of Chapter 6) is a qualitative study on the workshop roll-out (Phase 4) carried out in terms of objective 1.4 in the NAP 2009-2012. There were two roll-out periods in this phase: 2009-2010 (Roll-out 1) and 2011 (Roll-out 2). The roll-out in 2009-2010 took eight months to complete and in 2011 roll-out was completed in five months. During this part of the study, the policy network approach was the lens through which implementation of policy was examined and analysed, focussing on: 1) the network as an organisation, including network management; and 2) the actors within the network. The empirical data in this section is presented analytically, integrating the policy network approach into the analysis of the study on policy implementation, highlighting crucial lessons learned as they emerge.

The third section (Part 2 of Chapter 6) is a quantitative study that was carried out during the training roll-out (Phase 4). This part of the study provides an overview of the results of the quantitative analysis using a geographical information system (GIS) to both visualise the spread of the network within South Africa and provide a multi-layered measure of the impact that studies of this nature have on the problem under

[918] See Table 3.1 Outline of Research Design, page 80.

investigation. The chapter then concludes with a summary analysis of the confirmatory workshop phase (Phase 5). It also gives a synopsis of the main findings in relation to policy network operations in this case study on the succession planning project.

6.2 Phase 1: Defining objectives, selection and activation of network actors

The initiative for the succession planning project came out of the NAP 2006 objective to, 'mainstream succession planning into intervention programmes for OVC'. In terms of Section 1.3 of the 2006-2008 NAP the programmatic objective was to; '(d)evelop training programmes for NGO's and other service delivery agencies on succession planning'. Already by mid-2006 UNICEF, in collaboration with DSD, set about calling for proposals from parties interested in providing the technical support needed, by the NACCA Capacity Building Working Group, to implement Objective 1.3 of NAP 2006. In consultation with the regional coordinator of the Street Law Programme based at the University of Witwatersrand[919] (Street Law (Wits)) specific tasks were identified as necessary to achieve the expected results for mainstreaming succession planning. The tasks identified were listed in the scope of work document as, 'key tasks to be undertaken by the service provider to reach Objective 1.3'[920] and were as follows:

Define succession planning, including all components such as property, inheritance rights and guardianship;
Provide clarity on customary law in relation to constitutional rights;
Review existing training material;
Conduct focus group discussions with a sample of OVC and HCBC organisations;
Develop a training manual and guidelines for succession planning which will help with the practical application of legislation;
Prepare material for printing (UNICEF will print material once finalised);
Translate training material into Zulu and Sotho;
Provide training for lead trainers of all provinces;
Provide the foundation for the long term goal of developing unit standards and accredited training programmes.

As a result of specific financial and planning requirements at the high end level of the network, for both UNICEF and DSD, the commencement date of the training shifted from the original proposed date of September 2006 to a date one year later in

[919] Who later became the technical consultant for the overall succession planning project.

[920] Wits Enterprise & Street Law (Wits). 2006. *UNICEF Proposal for Succession Planning Project*.

September 2007. To ensure that the implementation of the succession planning project was carried out effectively UNICEF, in partnership with DSD, contracted Wits Enterprise as the service provider responsible for providing administrative support. Wits Enterprise, an organisation based at the University of Witwatersrand, worked in close partnership with the Wits Street Law programme (Street Law (Wits)). The regional coordinator of Street Law (Wits), Colgan, was responsible for the technical support needed in the project — the research, development, write up and facilitation of the training materials and development of the training programme on succession planning.

> 'Street Law[921] and Wits Enterprise worked side-by-side in project planning, bringing their separate, highly specialised skills together and making a strong consultative project management team. In illumination of the point on distinctive skills, Wits Enterprise, for example, lacks the knowledge of the substance matter, whilst Street Law does not have the in-house capacity to attend to matters such as project finances and bookings'[922].

6.3 The planning process: Developing a framework

In the literature on policy networks, Agranoff and McGuire offer a suggestive grouping of network management behaviours or tasks. These behaviours or tasks range from the activation of a network, to framing a network context and mobilising and synthesizing the network. One particular task mentioned bears relevance to the planning phase of the succession planning project (Phase 1), and that is the framing of the network. The authors say that framing of networks can be applied both in network formation and as a management tool, they point out that framing gives shape to purposes and influences the rules, values, norms and perceptions of actors in a network, where needed[923].

In the succession planning project once agreement was reached by the high end network actors (UNICEF, DSD and NACCA), the project followed a series of phases, commencing with the first phase of planning and setting the terms of reference (TOR). Phase 1 was a consultative process where a tight-knit group of actors — the technical consultant, Colgan (Street Law (Wits)), Wits Enterprise and UNICEF — interacted with the NACCA steering committee. Once established terms of reference were approved and the final proposal developed, broadly outlining the process to be adopted by Wits

[921] Street Law refers to the Street Law (Wits) programme housed in the law school at the University of the Witwatersrand.

[922] Booysen, S. 2008. *NACCA Succession Planning Project: Evaluation Report*, Wits Enterprise & UNICEF, page 17.

[923] Agranoff, R. & McGuire, M. 2001. 'Big Questions in Public Network Management Research'. *Journal of Public Administration research and Theory,* 11 (3), page 296.

Enterprise and Street Law (Wits)[924]. This proposal included standard requirements such as: specific tasks to match the brief; alignment of clear time-lines with expected outcomes and the inclusion of expected expenditure for each phase. Only once all details were agreed upon by the network actors, was the project able to commence.

Although a time consuming process, this period of consultation and interaction, between the high-end actors in the network, proved to be immensely valuable as it laid the framework, or blueprint, against which implementation could proceed. It also determined the mode of the communication between network actors at this level. Through a deliberative process[925], the proposal and terms of reference were finalised and adjustments made that were unique to the project such as: including an in-depth research and needs analysis prior to material and programme development; the involvement of the network of Street Law organisations, from various provinces, and; the identification of a task team, outlining their roles and responsibilities.

During the initial phase of implementation, the persistence and accessibility of representatives from UNICEF contributed immensely toward developing a degree of trust between actors such as, Wits Enterprise (consisting of two members, an administrator and supervisor), Street Law (Wits) and the NACCA task team (consisting of UNICEF and DSD representatives). By providing opportunities for frequent interaction between actors, information was shared and clarified[926], thus helping build a foundation for improved relationships amongst these core actors which was proved vital during times of network breakdown and conflict, particularly in the later phase of implementation.

An iterative process was established during project inception and continued throughout the research, development and pilot of the project. This meant that after each step was completed and, in terms of the project agreement, initial feedback would be sent to the task team and then to the NACCA steering committee. At each NACCA quarterly meeting, a progress report was the presented to the broader NACCA community[927].

As a result, the planning and materials development phase (Phases 1 and 2) ran relatively well, with few interruptions. This ease of process was attributed to the fact

[924] Based within the Street Law (Wits) programme.

[925] With UNICEF and NACCA task team meeting with the technical consultant to discuss and clarify issues, including email and telephonic communications. Also separate meetings taking place between technical consultant and service provider.

[926] That was not necessarily consistently easy but the opportunity for communication was never closed.

[927] These presentations would be made by various members of the task team such as the technical consultant, the UNICEF representative and, at the completion, the external evaluator.

that, although interaction with NACCA, DSD and UNICEF was on-going, implementation was primarily the responsibility of Wits Enterprise and Street Law (Wits). Regular communication and information sharing, through the iterative process, contributed to maintaining actor interaction and also clearly delineated the roles and responsibilities of the different actors involved. Initially Colgan (Street Law (Wits)), provided the technical expertise required for the research and development of the materials needed. She was also responsible for providing progress reports to Wits Enterprise, who in turn reported to UNICEF. Finances provided by UNICEF flowed through Wits Enterprise and as each step of the research and development phase was competed, NACCA received an updated report.

When organising interviews and focus groups, Colgan liaised directly with actors from targeted groups such as: Non-Governmental Organisations (NGOs); Community Based Organisations (CBOs); Faith Based Organisations (FBOs), and professional groups — both private and public. Focus group participants were identified by task team representatives — primarily by UNICEF, DSD (National) and Colgan, through her partnerships with the Street Law network. Further assistance was provided by two Street Law coordinators in North West Province and also involved final year law students in the Street Law course based at Wits.

After materials development and during the pilot of the training workshops, the network actors involved in Phases 1 and 2 shifted from operating as a close-knit group[928] to one that expanded to include new members[929]. This shift introduced significant changes to the network arrangement causing it to become less integrated, thus introducing additional uncertainties which in turn resulted in unexpected delays, impacting on the pilot of the training (Phase 3). This phase drew attention to the complexities inherent in coordinating a diverse network of interdependent actors, with differing values and perceptions, where, at any time during the process, control can be lost. As Klijn stated, '(p)olicy processes in networks are unpredictable and complex. Not only are many actors involved but actor's preferences change in the course of the interaction'[930].

A variety of factors contributed to the problems encountered in the pilot (Phase 3), most predominant of which related to network uncertainties such as: 1) actor roles and

[928] In terms of the Rhodes/Marsh definition of a close policy community consisting of UNICEF, the NACCA task team, Wits Enterprise and Colgan as technical consultant.

[929] Along the Rhodes/Marsh continuum resembling an issue network.

[930] Klijn, E. 1997. 'Policy Networks: An Overview'. In: W. Kickert, E. Klijn & J. Koppenjan. 1997. *Managing Complex Networks,* page 23.

responsibilities, caused when extra actors were introduced; 2) communication links and actor interaction — prior to and during implementation; and 3) rules and processes of accountability for actors, particularly between service provider and high end network actors. Other important factors contributing to the break-down of network relations, during this phase, could also be attributed to the hands-off approach adopted by the externally appointed network manager (prior to the pilot) and subsequently, to a lesser degree, by Wits Enterprise during the latter part of the pilot (Phase 3).

Before examining the challenges encountered in the management of a multi-layered multi-stakeholder project, the next section commences with an overview of the procedure followed during the second phase of implementation; the research, design and development of training materials. During this phase, research reconfirmed the challenges that families and children faced when confronted with the loss of loved ones as a result of HIV/AIDS. The research also introduced certain issues not initially considered as relevant to training of this nature. Thus this next phase revealed and clarified a number of issues that related to inheritance and property rights, whilst also highlighting the need to develop the capacity of a wide network of resource people, from urban and rural areas, throughout South Africa. This next phase also illustrates the value of adopting a more horizontal and participatory research approach when building capacity within communities.

6.4 Phase 2: Research, design and development – engaging with local community networks

Using the wide network of NGOs, CBOs and professional organisations involved with network actors such as UNICEF, Street Law (Wits) and DSD, the research participants for this study came from private and public institutions based in both rural and urban environments. In addition, the Street Law (Wits) University programme, as a service learning course for final year law students[931], provided a unique opportunity for students to be involved in researching and testing the materials developed[932]. This student involvement also meant additional interviews and workshops were held with community groups, caregivers, nurses and prisoners. These unique relationships broadened the stakeholder engagement which contributed to the collection of diverse narratives, providing real world data on succession planning and right of inheritance for children.

[931] This involvement of students also meant that many of the research participants were able to communicate in their own language as the student spoke most of the 12 South African languages.

[932] With the knowledge and permission of the task team.

As NGO, CBO, professional and community participants bonded and worked together with the researcher, in the development of materials aimed at addressing the needs and challenges encountered on a daily basis, the research began to adopt a more participatory action research approach. Because of the in-depth and inclusive approach adopted during materials development — incorporating a wide network of actors at grass roots level — the main steps followed in the process are highlighted below.

6.4.1 Materials development on succession planning

The materials development phase, was viewed as fundamental to the success or failure of the final product, in the form of the training workshops, as the materials would directly impact on the successful implementation of the programmatic objective (Section 1.3 of NAP 2006–2008). If the material inadequately addressed the issues on the ground and inappropriately or inaccurately explained the legal process, the training itself would be meaningless and the intended purpose of the project would be lost. For the training to adequately develop the capacity of resource people in the community, the materials and the training programme had to realistically engage with local issues and guide participants in finding solutions to real-world problems. This point was continuously made during the focus group discussions and interviews held with social workers, care-workers and community members (See Table 3.1, page 80; Table 6.1, page 205).

Many participants voiced a concern that the capacity training would not capacitate, but would merely become another talk-shop or meaningless lecture, providing participants with nothing practical to take away and use. Focus group participants also said that 'all too often' these interventions are imposed on people, causing a sense of 'a lack of ownership'[933]. They pointed out that learning often comes through people's own stories and experiences and these should be being shared with others in similar communities and contexts. As stated in the focus group discussions prior to materials development:

> *'For me a big issue is that the families, caregivers need the support in terms of thinking, listening and talking about what is happening, what needs to be done, because every single one of the caregivers is saying, `what is going to happen to the children when I die?'. There's this group of older women supporting their children's children and they don't know where to make contact with support systems. What I'm trying to say is if you are thinking about training then it's got to be something that by the end of it they leave with a will or they leave with an idea, a plan'.*

[933] Colgan, D. Focus group discussion notes dated September 2007.

'Most of the initiatives out there are pre-conceived agendas; they don't come from the communities so they don't own them. They do need us, but we also need them'.

'That's why I'm a bit cautious about interventions by government or NGOs and that this whole idea of interventions is becoming problematic. I wonder does it help people or is it better to do things on their own? …Really the work ethic has been there … you would not expect another man or someone else to feed your own family?'.

'What I am trying to say is that maybe the government has had good ideas but they have not come down to us. There's a myth, you know, that something's happening up there but we're not sure what's happening down here. It's like the head is not talking to the legs[934]*.*

To ensure that the content and training were substantive and the needs of local communities addressed in a meaningful way, it was decided — by the task team in consultation with Colgan as technical consultant — that the research process would be iterative and participatory, reflecting the networked nature of the overall project. This meant that after completion of each step, opportunity would be provided for reflection and review and focus group and workshop participants were encouraged to feedback and comment on the training materials developed. In addition once each step was completed findings would be referred back to the task team and the NACCA steering committee for further comment and review.

6.4.2 Steps followed in developing the training material

Steps taken to develop material for the succession planning project are shown in Figure 6.1, outlined below and discussed in Sections 6.4.4 to 6.4.6.

The first step in the materials development process was to carry out a desk top study (Step 1, Figure 6.1). This study extended beyond investigating the legal framework on succession planning, property and inheritance and looked at examples of policies and programmatic interventions from an international, regional and national level. Additionally, a variety of materials, outlining teaching and training on inheritance and succession laws, were sourced and evaluated. In the evaluation report submitted to NACCA it was stated:

> *'(t)he researcher established that there was a paucity of appropriate training materials on succession planning, the law and administration of estates. The available information*

[934] Focus group discussions during period September-October 2007, NGO respondents (Pietermaritzburg) and caregivers (Pietermaritzburg).

ranged from highly complex and legalistic materials to simplistic and inadequate materials. There were numerous gaps in the available information. It lacked practical application and grass-roots issues were inadequately dealt with, if discussed at all[935].

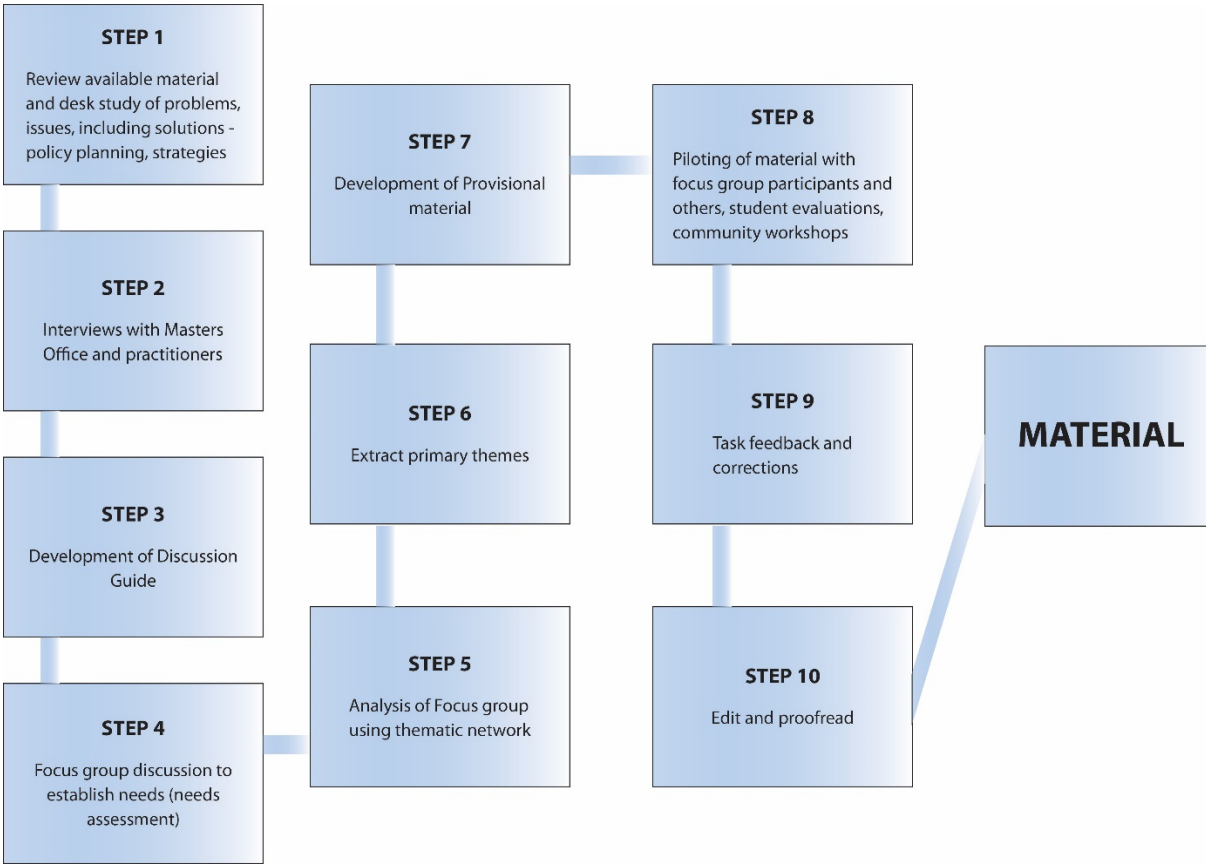

Figure 6.1: Flowchart showing steps in the stages of material development in the succession planning project
Note: The steps are described in the text

After carrying out the desk top study the materials development phase took on a more inclusive, participatory and collaborative approach — incorporating network actors from within the core group and from the network periphery. Here a series of steps were followed, gradually drawing the community participant into the research process. Before involving community participants in the process, a number of one-on-one interviews were conducted with legal practitioners and representatives from the Masters Office (Step 2, Figure 6.1). These interviews determined the formal legal context which then informed the development of the focus group discussion guide[936] (Step 3).

The discussion guide was utilised during the needs analysis carried out in Step 4. Five focus group discussions and five unstructured interviews were held with a range of community and NGO participants (Table 6.2, page 201). The materials development process concluded with a number of workshops involving various participants who

[935] Booysen see note 922 at 20.

[936] See APPENDIX 3 Part 1.

were: 1) respondents who had participated in focus group discussions; 2) community participants, rural and urban, who were involved in the Street Law service learning programme; and 3) NGO participants who were identified by UNICEF and DSD.

After the training workshops were completed data was analysed using thematic network analysis (Step 5, Figure 6.1) where primary themes were extracted and the provisional material developed (Steps 6 to 7). The draft booklets developed at this stage were piloted in six workshops and feedback from these used to adjust and improve the draft material (Steps 8 to 9). The final stage concluded with an edit, proof reading and layout of the materials. These materials were then used as the training materials for the succession planning project in the pilot and the roll-out phases.

6.4.3 Needs analysis and final stages of materials development

Focus group discussions, interviews, community and training workshops (Step 4, Figure 6.1) all contributed to the body of information used in developing the succession planning booklet and facilitator's guide used in the training workshops[937]. During this phase of material development an inclusive and participatory approach was adopted, so much so that, at times, it resembled a form of action research where the boundaries between researcher and participant became blurred[938].

The network of actors, selected to participate in the focus group discussions and workshops, came from organisations identified or affiliated with the high end actors in the network, UNICEF, DSD and NACCA or associated with Street law (Wits) and Street Law (North West). Most participants represented child advocacy organisations working with or supporting OVC groups in South Africa. This diverse grouping of participants, from four provinces, with a variety and range of experiences, living and working in rural or urban environments, contributed to both the relevance and reality of the narratives and lessons contained in the training material (Table 6.1).

In the focus group discussions, participants were encouraged to speak of their personal and work related experiences. During the discussions, participants highlighted a number of issues and problems confronting children and families where they are based. One key issue raised, by the majority of participants, was the devastating impact of HIV/AIDS on families and children. People spoke of the stigma attached to HIV/AIDS

[937] The original booklet developed was updated from time to time based on the input of facilitators and participants during the training workshops.

[938] De Vos, A., Strydom, H., Fouché, C. & Delport, C. 2010. *Research at Grass Roots: For the social sciences and human service professionals* (2nd ed), page 65.

and also spoke of the loss experienced by loved ones, particularly when the primary breadwinner or caregiver falls ill and then passes away.

'How often is it that you go to the house and the gogga is sitting there and crying with the baby and the children because the mother has just died and there's the new grave and she just needs you to give her a kick start. She cannot do it on her own'.

'The person says to you `don't tell them (the family) that I am HIV until I die, even if they ask you every day don't tell my family anything', they want me to lie to the family by telling them that I am that person's girlfriend or something like that[939]*.*

Table 6.1: Details of participants attending focus group discussions and workshops for the needs analysis in the succession planning project

Research method	Province	Urban, rural & role	Number of participants	Average age	Race & gender
Focus Group & workshop	Limpopo Province	Rural Community	200 community members-10 x 20 groups	20–65	Black. Mixed
Focus Group	Soweto, Gauteng	Urban Caregiver-hospice	10 participants	40	Black. Female
Focus Group & workshop	Soweto, Gauteng	Urban caregiver-hospice	8 participants	40	Black. Mixed
Focus group	Pietermaritzburg (PMB), KwaZulu-Natal (KZN)	Rural caregiver-volunteer	10 participants	18-30	Black. Mixed
Focus group	PMB, KZN	Urban NGOs involved with CINDI	8 participants	25-50	Mixed races with one male
Focus group	Mafeking, North West	Rural caregiver-volunteer	7 participants	Not certain	Black. Mixed
Interview	Mafeking, North West	Rural caregiver & parents	8 participants	Not certain	Black. Mixed

Participants spoke of the challenges people faced in establishing or using existing resources. In the focus groups, participants were asked to identify a place or person who they would turn to for assistance or help, particularly with respect to illness, child vulnerability or death. These questions sought to establish whether a network of support existed within the areas where they lived and worked, specifically focussing on legal assistance relating to property and inheritance. The overall response indicated a limited number of resource or service provider networks, with many being inaccessible or inefficient. Often, when problems arose, formal processes were seen to be frustratingly inadequate and slow:

'We have had people waiting for 4 years for the social worker to go and visit, they say

[939] Focus group discussions during period September-October 2007 and February-March 2008, caregiver respondents (Pietermaritzburg).

they have not got the staff to deal with all the claims'.

'It depends on the family and the situation in the house because sometimes there's no-one really. The people there may be going to work, others are there at home but they are scared… they need help and guidance, we need to educate them'.

'People want to grab children when there's a funeral-there's money attached to a child and there's no-one to monitor whether the children go to school or not because the social worker does not go out there. NGOs do their best to monitor, but really they cannot help much. It's very complicated that's when you need a legal process'.

'Part of the crisis of the profession is that there aren't enough social workers but also because of the complexities of the challenge that those people are facing. It is massive and there's not a lot of support'[940].

Over the five years that the project ran, the training material, and personal narratives, continued to be updated and adapted to reflect the changing legal and social environment. This phase of the implementation process illustrates the indispensable role played by the lower end network actors. Because of their proximity to grass root communities and their understanding and involvement at a local level, NGO and CBO participants helped to bridge the participation gap between community and the high end network actor. This meant that information was able to be shared and incorporated into the training materials. The unique and inclusive approach that was used in developing the training material is thought to be one of the contributing factors toward the ongoing success of the training programme and is therefore discussed in the following section.

6.4.4 Thematic network analysis

To best analyse the transcriptions of focus group discussions, community workshops and interviews, thematic analysis, with the aid of thematic networks, was used (Step 5, Figure 6.1). Only a brief overview of the process is provided here, as a more detailed description has been set out in Chapter 3, the methodology chapter of this dissertation.

Thematic analysis is used to unearth the themes (Step 6) within the text at a variety of levels, whereas thematic networks are used to structurally depict these different extracted themes[941]. The usefulness of thematic networks is that, once key themes

[940] Focus group discussions during period September-October 2007 and February-March 2008, respondent caregivers (Pietermaritzburg), respondent caregivers (Soweto), respondent NGOs (Pietermaritzburg).

[941] Attride-Stirling, J. 2001. 'Thematic Networks: an analytic tool for Qualitative Research'. *Qualitative Research,* page 387.

have been identified and extracted from a text[942], they offer a visual technique or tool which then aids interpretation. Thematic networks are presented in a graphical manner, as web-like nets. In analysing the data for the succession planning project, a step by step process was followed where, after the transcripts were gathered and coded and themes identified, thematic networks were constructed which ultimately assisted in pinpointing key areas of focus. Figure 6.2 sets out an example of the thematic networks identified in succession planning project.

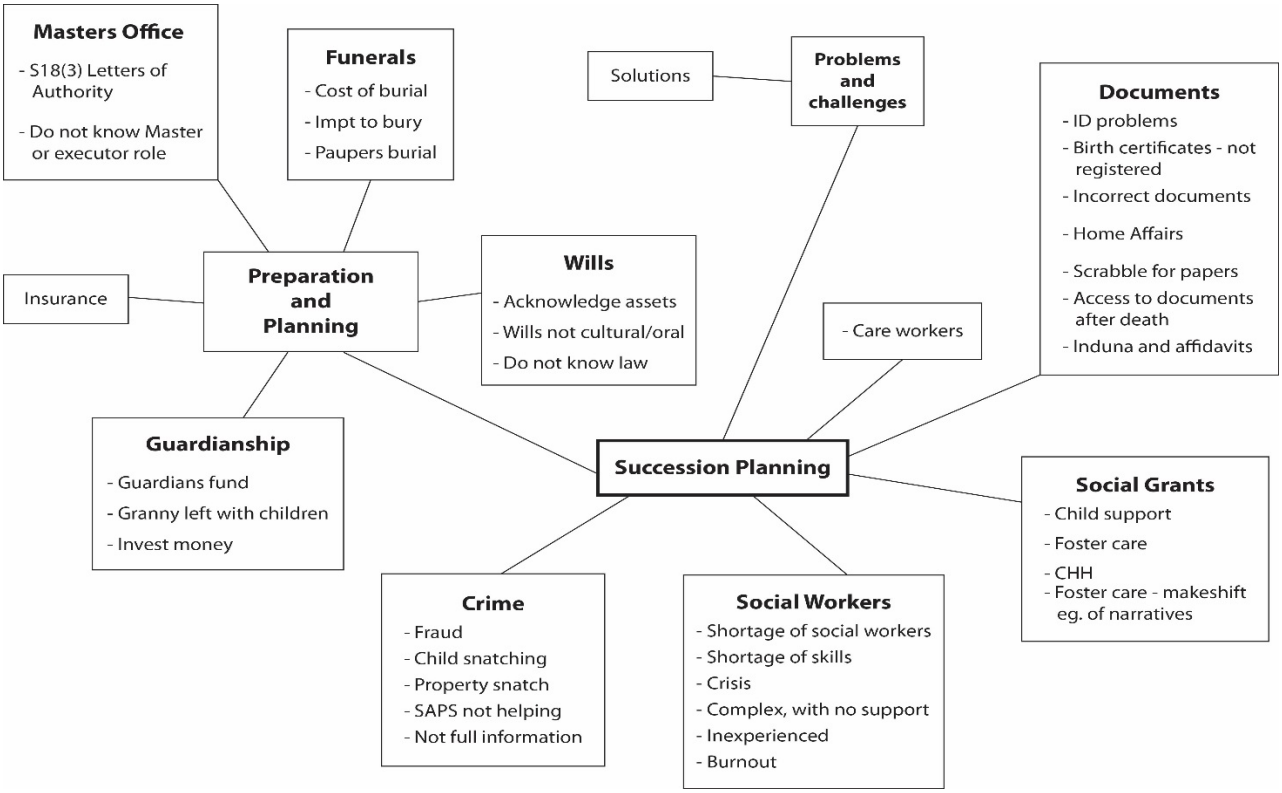

Figure 6.2: Thematic network example used in development of succession planning training material

Coming out of this process of analysis and interpretation, important issues of both a legal and social nature were highlighted. By engaging with the lower end network actors a wide variety of responses and narratives were able to be gathered. The common themes, knowledge gaps, misconceptions and different cultural beliefs emerging from local community groups assisted in identifying relevant information most suited to training of this nature. In the focus group report provided to the NACCA steering committee, the following concluding statement was made:

> '…the materials that are to be developed in this area should go beyond simply concentrating on the legalistic processes around succession planning and administration of estates — although these are important … What the focus group interviews have revealed is how important it is to prepare and put plans in advance before a person's

[942] Transcriptions from both focus group discussions and interviews.

> passing... The materials need to include the case studies discussed in the focus groups and use these studies as part of the problem solving exercises. The materials should not only point out the more formal processes that need to be followed but should also start to work towards developing a change in perceptions and attitudes. What will also be useful in the development of these materials are the different perspectives given by all the interviewees as these reveal the many understandings and different, often creative approaches, employed by community member, NGO and caregiver alike. Examples of these approaches will be incorporated into the text as illustration and/or exercises. In addition stories will be used to illustrate what the law says and what happens in reality'[943].

Provisional training material to be used in the piloting of the succession planning project was developed from this thematic network analysis (Step 7, Figure 6.1).

6.4.5 Piloting draft materials and planning a way forward

The draft training material incorporated all suggestions made into the final NACCA report. In April 2008 the task team met with Wits Enterprise and Street Law (Wits) to evaluate the progress made in meeting the contract and to plan for the next phase relating to: 1) piloting draft materials; and 2) rolling-out training workshops. At this meeting, a draft manual[944] was distributed amongst members for comment. The key questions asked related to the piloting of the draft material:

1. Where to pilot?
2. What to check in the pilot:
    a) If material relevant, sufficient and appropriate?
    b) How long the training programme should be, 2 or 3 days?
    c) Are the exercises feasible?
    d) Is there sufficient information in the material to support the questions?
    e) What criteria to set for selection of trainees?[945]

Between early April and May 2008, the NACCA task team members, Street Law coordinators from North West and Wits University, and several students registered in the Street Law (Wits) course, were tasked with reviewing and commenting on the draft material (Step 7, Figure 6.1). At the same time, plans were put in place to commence with the pilot of the draft materials in specific sites. The initial contract indicated that the pilot of the training material would take place in only two sites, Gauteng and KZN, using

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[943] Colgan, D. 2007. *NACCA Report on Focus Group Findings (UNICEF)*. Wits Enterprise/Street Law (Wits).

[944] See APPENDIX 1.

[945] NACCA Succession Planning task team minutes of meeting dated 4th April 2008.

the same participants involved in the focus group discussions during the needs analysis. Again, because of the unique nature of Street Law (Wits), the number was able to be increased from two to six sites[946]. Workshops arranged for the pilot of the materials are set out in Table 6.2.

To do this, Street Law (Wits) students were trained in the facilitation of the draft succession planning material. Students conducted a number of succession training workshops with hospice care-workers in Soweto and Houghton and in two prison sites viz. Johannesburg Prison and Leeuwkop Prison (Table 6.2). Students were asked to evaluate the participants' responses to the draft material, during and post the training. The evaluation looked at: 1) the overall relevance of the information and activities/exercises included in the material; 2) the participants' broad understanding of, and their interest in, legal aspects of the material; 3) participant's responses to specific and key activities, such as the exercise around intestate succession or on the drawing up of a will; 4) allocation of time for specific sections in the material and for the whole training; and 5) the overall impression of the material as a potential training programme for succession planning — (See Step 8, Figure 6.1).

Table 6.2: Workshops for pilot of succession planning project materials

Province	Training site	Participants role & number attending [Total: 107]	Race & gender	Facilitator
Gauteng	Soweto Hospice	Care workers (15)	Black, primarily female	Student
Gauteng	Houghton Hospice	Nurses & caregivers (20)	Mixed, female	Student
Gauteng	Johannesburg Prison	Adult Inmates (medium B) (20)	Mixed, male	Student
Gauteng	Leeuwkop Prison	Juvenile inmates (20)	Mixed, male	Student
Gauteng	Aids Consortium	NGO, care worker & social workers (24)	Mixed, male & female	Coordinator/tech consultant
KZN	CINDI (PMB)	Social worker, NGO reps and care worker (volunteer) (8)	Mixed, female and male	Coordinator/tech consultant

The feedback provided, in all the pilots, identified further and final changes that needed to be made to the draft training material and also contributed toward answering many questions raised during the NACCA task team meetings (Step 9, Figure 6.1). For example, a general comment made by most participants, after the pilot of the materials was completed, was the request that the training needed to be longer than two days:

> *'I have really learned a lot in these two days but feel the workshop should be spread to three days'.*

[946] With the knowledge and the consent of the task team members.

'Two days is too short, it's necessary that the extra day should be added'[947].

Participants also asked for a copy or an example of a simple will to be included into the training booklets (Figure 6.3) so that people could 'see what a will looked like' and 'what kind of words would be used in a will'[948]. Other comments made, ranged from requests for more examples in activities such as the 'talking about death' activity and the activity dealing with documentation, to providing a limit on the budget in the funeral planning exercise[949].

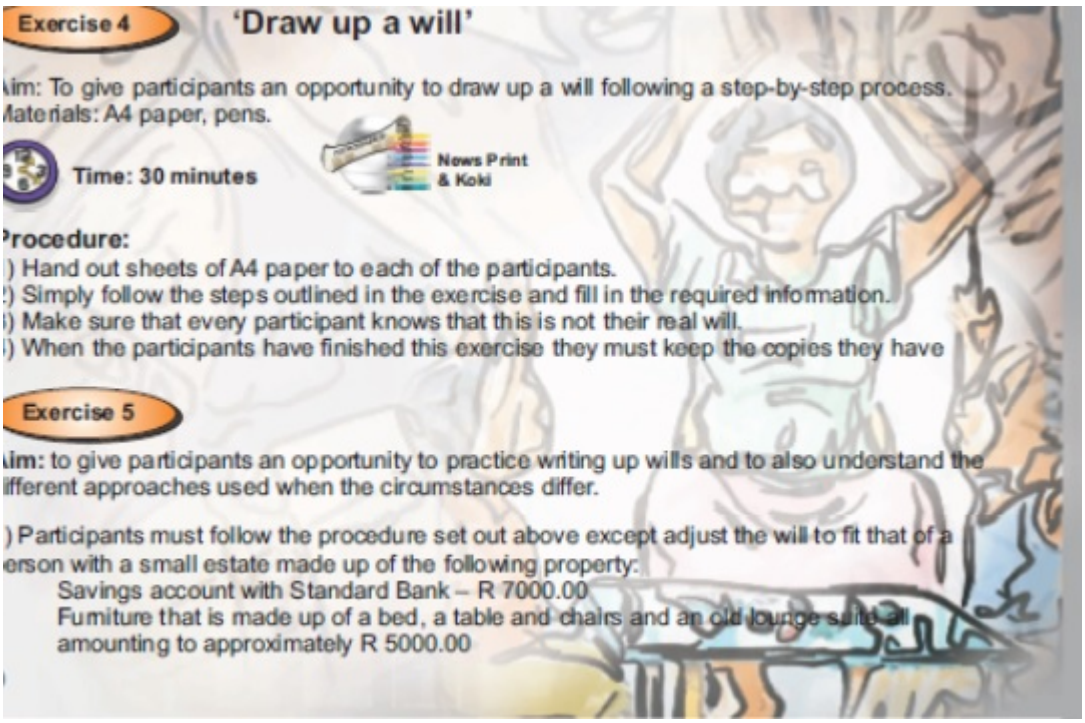

Figure 6.3: An extract from the first Succession Planning Facilitator's Guide[950]

Much of the input was practical and relevant, adding to and enhancing the materials that were being developed. Feedback received from all the different groups contributed to the final product, although one particular group, from the Children in Distress Network (CINDI), noticeably engaged with the material and provided a contribution that ultimately influenced the final shape and tone of the booklets that were produced.

This particular group was organised by CINDI in Pietermaritzburg (PMB) and their 'deeper more profound level of engagement'[951] could be attributed to the fact that CINDI

[947] Feedback from pilot workshop March 2008, NGO participants Johannesburg, Gauteng.

[948] Feedback from pilot workshop, Gauteng.

[949] Feedback from Hospice Soweto workshops and Street Law (Wits) students March-May 2008.

[950] Colgan, D. 2008. *Succession Planning Facilitator's Guide.* Wits Enterprise, University of Witwatersrand. There have been two further editions since this 2008 first edition.

[951] Colgan, April 2008. Journal notes.

was involved with the materials development from inception[952] — initially as part of the broader NACCA community, then as part of the needs analysis held in 2007 and finally as part of the organisation and participation in the pilot of the draft materials. Other contributing factors could be due to the diversity of skills and experience within the group, personally and professionally, with many working as grief counsellors or as carers of OVC in the areas surrounding Pietermaritzburg. A further factor was the smaller size of the group where, after an introductory icebreaker, individual actors began to interact and develop relationships based on mutual respect. The relationship building that took place on the first day continued to develop and grow throughout the two day training period, influencing the depth of responses. Much of the input provided was due to the high degree of trust participants developed during the training and the responses provided by the group were both well-considered and honest, as stated in the final evaluation report:

> 'The Pietermaritzburg group suggested that there needed to be a continual link made from the beginning to the end, so that people could see a problem being dealt with over time with increasing depth. Based on this comment the coordinator [Colgan] developed the 'Hubert and Sindi story' the theme of which had kept cropping up in the discussions. The story of Hubert and Sindi started on the first day and ended on the last day of training'[953].

The period immediately prior to finalisation of the material was highly consultative, involving the members of the task team, Wits Enterprise and Street Law (Wits) (Steps 9 and 10, Figure 6.1). As a result of the inclusive and 'intricate' process of implementation at this stage of the project, the training materials developed were seen as foundational to the strength of the final training programme developed[954]. As stated in the evaluation report, '(p)articipants felt that the training guide was useful as a learning tool, that it was accessible, logically structured, effective as a workbook, and that it could be used as a tool in the workplace'. The process adopted in developing the materials was said to have contributed to the positive impact of the material, '(a)ll the forms of feedback converged on the point that that the materials were well-targeted, well presented and greatly empowering' as the report said:

> 'Overall, the process of materials development was nuanced, consultative and participatory. It could be stated that the process went beyond the NACCA requirements. It

[952] Although some of the participants had been unable to attend the focus group discussion in 2007.

[953] Booysen see note 922 at 24.

[954] Booysen at page 25.

involved focus groups, and workshops. Specialist consultations and research further informed the materials development. The process involved extensive legal comparative Africa-other international research, and the tracking of South African 'stories' (cases or examples). A workshop training guide and facilitator's guide were developed and these stood the test of training'[955].

Once the content of material was written and finally approved, Wits Enterprise, DSD and UNICEF commenced with the last step in the process, branding prior to printing (Step 10, Figure 6.1). This period — the finalisation of branding — took much longer than was originally anticipated. As a result of the unexpected delay, published materials were not available at the start of the first training workshops. Nevertheless, training had to commence in order to complete the project within the expected contract period.

6.5 Phase 3: Piloting the training workshops – implementation within a complex network arrangement

This section of the case study illustrates the unpredictability of complex interorganisational arrangements, particularly as the network formation unfolds and network actors begin to interact with one another. The ambiguities and uncertainties that may emerge during this period can be a threat to effective network operations.

During the pilot phase (Phase 3) of the succession planning project training workshops were piloted in nine provinces across South Africa. This phase introduced a heightened level of complexity into the networking arrangement[956]. Actors, with diverse views and expectations were dependent on each other to carry out specific tasks in order to successfully achieve the project objectives. For better coordination it was necessary to devise strategies more suited to handling the complex interactions that emerged during the training pilot. Thus, the many challenges encountered in the period leading up to the workshop pilot could be attributed, in part, to the utilisation of strategies ill-suited to coordination within a networking environment.

This section sets out a step by step outline of the pre-pilot process. It commences with a brief description of the roles and responsibilities of the core network actors and discusses the delayed introduction of a network manager, finally highlighting the

[955] Booysen see note 922 at 27.

[956] Using the Marsh-Rhodes continuum the initial policy network shifted from a close-knit policy community (limited and close group of members; integration due to frequency of contact and consensus; simple resource exchange; clear and equal balance of power) to a looser arrangement where a larger number of peripheral members were included and with the inclusion of additional actors there was less frequency of contact, less consensus, and an imbalance of power.

emerging challenges that were encountered prior to and during the training pilot.

6.5.1 Actor roles and responsibilities

During Phase 3 of the project, both UNICEF and DSD shared responsibility for the financing of the training workshops. They were also responsible for overseeing overall project implementation — acting as representatives for their department or organisation and as representatives of NACCA. Prior to this phase, UNICEF was responsible for financing the costs of the overall project, including the costs of the service providers — Wits Enterprise and Street Law (Wits). In addition, UNICEF provided financial support for the NGO delegates who were included in the training workshops and financed both venue and facilitator costs. For the pilot training, DSD took on the responsibility of funding DSD delegates and affiliates, which involved paying a portion of the costs for catering, accommodation and transport.

Wits Enterprise and Street Law (Wits) provided the necessary administrative and technical support to the succession planning project. DSD National also needed to ensure that all provincial DSD coordinators were on board, specifically with respect to organising delegates for the training and ensuring that venues, catering and accommodation were approved government vendors. As pointed out in the NACCA evaluation report, '(t)he realisation and timing of the workshops depended, amongst others, on DSD buy-in, a process that was complicated by issues of availability of staff and coordination with other departmental work'[957]. DSD, for its part in encouraging the necessary buy-in, sent emails to all DSD coordinators calling for their commitment:

> 'It would be appreciated if your office could support the training programmes at a provincial level so as to ensure efficient and effective community based responses to issues of orphans and other children made vulnerable by HIV and AIDS. Each workshop is expected to include 25 participants who work directly in the field of succession planning and provide support to orphans and other children made vulnerable by HIV and AIDS. These participants will be drawn from the public, civil society and private sectors through both a targeted processes and on a first-come-first-serve basis. The organisation of each participant attending the training programme will be expected to sign a Memorandum of Understanding that commits to future support for implementation of the succession planning training'[958].

[957] Booysen see note 922 at 28.

[958] Booysen.

6.5.2 Introductory steps prior to piloting: widening the network

As with the materials development phase (Phase 2), the pilot phase (Phase 3) followed a step-by-step process where, after each step, the task team would meet to assess progress and address problems. An important part of the process was to ensure communication links between all actors in the network remained open, particularly between the high end network actors and their stakeholders. This phase of the project was significantly marred by delays, miscommunication and confusion, which, at times, threatened project implementation, especially prior to the commencement of workshop roll-out. The pilot phase brought to light the difficulties encountered when managing a complex network structure, within tight time constraints, and involving a diverse, multi-actor arrangement including state and non-state organisations working in partnership with an international agency such as UNICEF.

The initial project phases (Phases 1 and 2), although time consuming, taking eight months to complete, were manageable. This is because responsibility for implementation remained primarily with the core group. Communication between these actors, Wits Enterprise, Street Law (Wits) and the task team, was mutually respectful, consistent and regular[959]. Roles and responsibilities were clear and over the months a pattern of planning and working together, became established. Because of the frequency of the interaction between actors, the actors' initial wariness and uncertainty with one another was able to shift to a shared level of mutual trust. The introduction of trust into the relationship enhanced actor cooperation and coordination. Thus the ongoing interaction between these actors in the network helped strengthen the ties between them. It was therefore difficult, albeit necessary, to change gear in order to accommodate extra network members for a more representative NACCA task team and for wider implementation across South Africa. With the date of completion set at September 2008, time was of the essence as only five months remained to complete-training workshops in nine provinces.

Implementation during the pilot phase of the project called for a number of fundamental adjustments in the management and coordination of the network. With the inclusion of additional members into the network, certain responsibilities and tasks needed to be implemented within the districts or regions where these network actors were based. This meant a shift in the network arrangements in order to include a variety and spread of actors coming from both the high and low end of the network (Figure 6.4).

[959] With almost daily contact via email and telephonically and regular weekly or fortnightly meetings, when necessary.

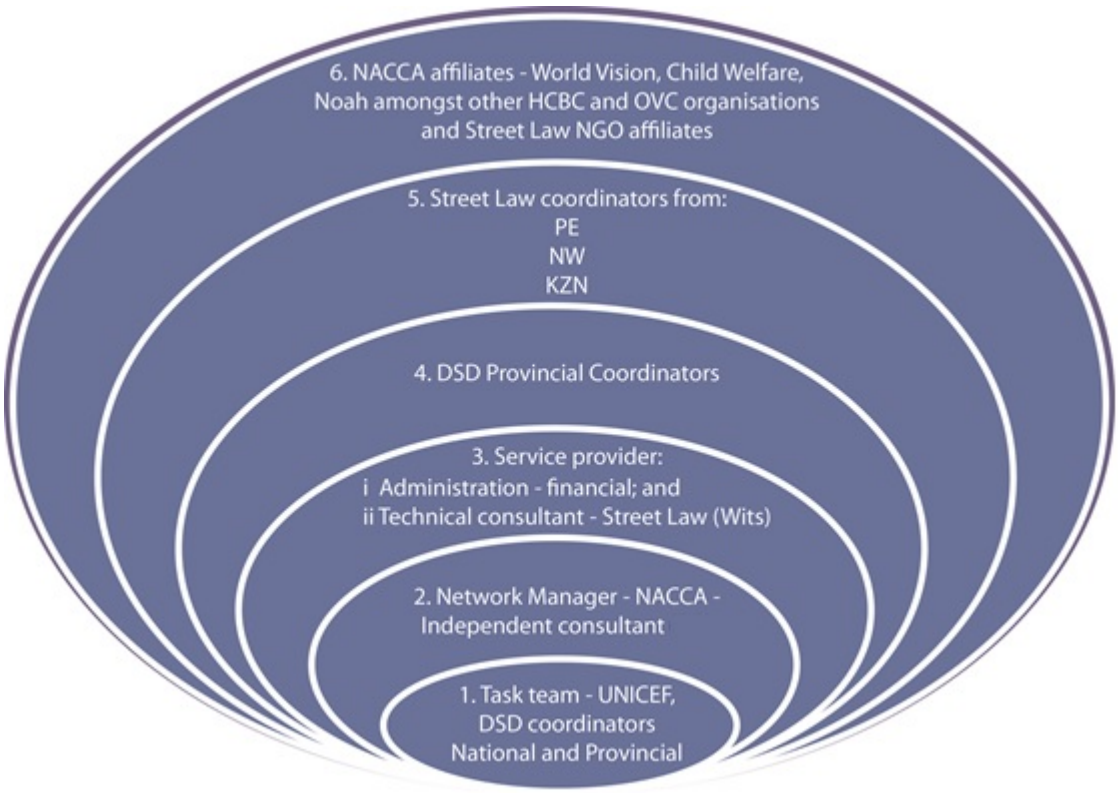

Figure 6.4: Network Actors involved in Phase 3: Central and peripheral actors
Note: Central Actors range outwards from task team (1) through to peripheral actors, NACCA affiliates (6). PE – Port Elizabeth; NW – North West; KZN – KwaZulu-Natal

6.5.3 Planning meeting for network actors

This blending of actors with multi-level interests and experiences contributes to an increase in levels of complexity and uncertainty within a network. In these situations, cooperation between actors is fundamental yet these interactions are not easy. Termeer and Koppenjan say that, '(i)n order to solve social problems in policy networks, joint action is needed'[960]. Therefore an important strategy in a networking environment would be to facilitate interaction processes between actors, where actors are encouraged to come together as representatives of their organisations and work toward identifying interactive activities at an operational level[961].

On the 11th June 2008, a one day meeting was arranged primarily to introduce the Street Law coordinators[962] from three provinces to the project and the training materials. All coordinators represented Street Law programmes that were based at different South African Universities. In addition to Street Law (Wits), Wits Enterprise,

[960] Termeer, C. & Koppenjan, J. 1997. 'Managing Perceptions in Networks'. In: W. Kickert, E. Klijn & J. Koppenjan. 1997. *Managing Complex Networks: Strategies for the Public Sector,* page 79-80.

[961] O'Toole, L., Hanf, K. & Hupe, P. 1997. 'Managing Implementation Processes in Networks'. In: W. Kickert, H. Klijn & J. Koppenjan, Managing Complex Networks, page 142.

[962] The coordinator of Street Law at NMMU and the National Director for Street Law Incorporated based at UKZN. The coordinator of Street Law at KZN and the Director of the Law Clinic at North West University and regional coordinator of Street Law.

and the Street Law coordinators, there were two National DSD representatives, two NACCA representatives and two UNICEF representatives. The purpose of the meeting was to: 1) provide the Street Law coordinators and the network manager with an update of current progress; 2) outline the materials development process and discuss facilitation of the workshops; and 3) put in place plans and dates for a way forward.

During the one day meeting, the NACCA network manager met with Wits Enterprise and Street Law (Wits) for the first time, although prior to this meeting they had communicated telephonically and via email. The inclusion of an additional manager came as a surprise to the existing team of actors, as they had been in a working relationship for eight months prior to this. The new addition, at management level, threw the established patterns of interaction off-kilter. The purpose for including the external network manager was to ensure that the interests of NACCA and DSD were represented within the network structure. The network manager was seen as having the requisite skill and capacity to offer the necessary support to DSD and NACCA during project implementation. As stated in one of the introductory emails from UNICEF:

> 'I have asked *Smith*[963] (a consultant contracted to provide technical support to DSD and NACCA) to help DSD to get the NACCA Succession Planning task team together. The whole project has to be guided by NACCA and ultimately owned by DSD. ... we have to ensure that they approve materials and the roll-out of the training'[964].

The difficulty, at this stage, was working out a clean fit within the existing team who had developed a pattern of interrelating with one another over a period of eight months. Re-establishing the working relationship to include extra actors and a new manager, with different perspectives, capabilities and resources, became the key focal point of this phase of implementation when, strategically, the primary focus should have been on planning and preparation for the pilot of the training programme.

6.5.4 Coordinator's meeting: implementation of actor tasks

During the coordinators meeting tasks for coordinators, DSD representatives and the NACCA network manager were outlined and briefly discussed[965]. The Street Law coordinators were tasked with confirming training dates and forwarding the names of

[963] A pseudonym was used to ensure the anonymity of the individual involved.

[964] Email communication dated 2nd June 2008 from UNICEF representative.

[965] This was not a deliberative process resulting in inadequate buy-in from certain participants.

ten NGO delegates[966] to the Street Law (Wits) office. Street Law (Wits), as the main contact for the Street Law coordinators, was responsible for sending this information to the NACCA network manager and the NACCA task team. The NACCA network manager, because of her close ties with DSD and NACCA, was tasked with assisting both Wits Enterprise and the Street Law coordinators in writing and issuing invitation letters to all delegates. She was responsible for liaising with coordinators with respect to the logistical arrangements around training venues, accommodation and transport. She was also tasked with overseeing the process of ensuring that the final materials developed were approved for branding and publication by NACCA and DSD.

From the point of view of network building, the writing of invitation letters and the facilitation of interaction processes between network actors, such as Street Law, DSD and the training delegates, became problematic and messy. Post the coordinators' meeting, the NACCA network manager was busy with numerous other, unrelated, responsibilities and was often unavailable during the period preceding the pilot training. In her place, she allocated two administrative assistants, neither of whom had the capacity nor the mandate to make decisions, nor to suitably interact with DSD and Street Law coordinators[967]. Additionally, because financial responsibility was shared between Wits Enterprise and DSD, there was increasing confusion regarding responsibility for the confirmation and payment of venues, transport and accommodation for delegates.

These problems revealed themselves early in the process, soon after the meeting, and specifically with respect to the writing and circulation of delegate invitations. Before workshops could proceed, delegates needed to be formally invited through the issuing of an invitation letter approved by the task team, Wits Enterprise and DSD. The official invitation letter was to be written by the NACCA network manager, circulated amongst the task team and then sent to coordinators who sent out invitations to NGO delegates. The NACCA network manager was also responsible for liaising with DSD and sending invitations to DSD delegates, or acquiring a list of selected or suggested delegates from DSD, that would be passed on to Wits Enterprise. Responses to the letters of invitation were to be sent to the NACCA network manager who would then send the final lists

[966] Half the delegates were from the NGO community affiliated with Street Law and UNICEF and the other half were delegates affiliated with DSD and NACCA. UNICEF was responsible for paying for the accommodation and transport of the NGO delegates and DSD was responsible for paying for the Transport and accommodation of their own delegates.

[967] A similar situation also occurred dur Phase 4 rollout. Network manager/s facilitates cooperation between network actors, needing the authority and skill to cope with the complexity of a network mix. This has been consistently overlooked in the project where management was often allocated to an administrator who lacked the requisite skills, discourse and authority.

through to Wits Enterprise and Street Law (Wits). The overall process and lines of communication were not clearly considered or clarified and soon became overly cumbersome, convoluted and confusing.

Not surprisingly, coordinators from Street Law and DSD were unclear about the communication path they were expected to follow. When the NACCA network manager was unavailable the coordinators struggled to find answers to queries relating to logistics or the issuing of invitations. As a result, the Street Law (Wits) coordinator, Colgan, was bombarded with telephonic and email communications[968] containing a range of information from delegate lists, invitations and suggested venues, which she then passed on to Wits Enterprise and the NACCA network manager.

Inevitably, lines of communication became crossed, resulting in confused or lost messages causing actors to become increasingly frustrated. A further difficulty was, because the NACCA network manager's team lacked the mandate to make decisions, queries needed to be referred onto their manager, in so doing, messages were often mixed or incomplete (often waiting days for a response). This resulted in even more confusion and often in a failure to follow through on important queries. Wits Enterprise was confronted with a situation of not knowing which of the delegates had been invited to the training. As Wits Enterprise was ultimately responsible for booking venues, transport and accommodation and was paying for half the delegates from the NGO community, it was important that accurate details were provided. What this meant was that, when training was due to start, there was limited to no proper planning in place.

A month after the coordinator's meeting, where plans were agreed and time lines clearly outlined, a number of key processes remained incomplete such as the finalisation of branding and publication of the succession planning materials. In addition the failure to complete and circulate a formal invitation letter meant that the pilot training could not commence as delegates had not been invited and training venues were not secured in all the provinces.

When a fundamental step in a sequential process is not completed, by an actor in a network, it impacts on the ability of other actors to participate in the process, creating blockages which stifle and frustrate implementation. As a result of blockages, at this stage of implementation, many of the actors who were initially whole heartedly committed to the project, threatened to withdraw.

[968]From coordinators, DSD and Street Law, service provider and task team member

On the 24th July 2008, an emergency meeting was called by UNICEF and Wits Enterprise, one of many that were requested during this time. As not all the relevant actors were able to attend, such as the NACCA network manager, it was decided that a teleconference would suffice. The teleconference took place at the Offices of Wits Enterprise. In attendance were, UNICEF, Wits Enterprise, Colgan and, on line, the NACCA network manager. Various concerns were highlighted in the meeting, such as: lack of adherence to time lines; the approaching end date of the contract, with little to no possibility of roll-out taking place in the next few weeks; and the communication confusion between the various actors in the network. It was decided to renegotiate new tasks and new time lines with a clear commitment, by all involved, to adhere to the agreed time limits. Responsibility for certain incomplete tasks shifted onto Wits Enterprise and Street Law (Wits). This included completing branding, approval and publication of training materials, and communicating and sharing information with the various network actors. In addition, an extension to the contract end date between UNICEF and Wits Enterprise was renegotiated.

Around the same time that the meeting was taking place, or soon after, the director of the Law Clinic and Street Law coordinator, in the North West province, stated that it was imperative to proceed with the planned roll-out of training in Mafikeng or he would have to withdraw. This was due to a variety of reasons, ranging from his availability to facilitate and people's perceptions of the professionalism, consistency and credibility of the project. As director of a busy law clinic, a law lecturer and coordinator of the Street Law (North West) programme, the selected training dates were chosen to fit a short window of opportunity. When the North West coordinator heard the training could not proceed because invitation letters had not been finalised, his frustration grew. As a result, he chose to write his own example letter and forwarded it to Street Law (Wits) and the NACCA network manager. He expressed his frustration about the delays in an interview stating that:

> 'It was a frustrating and annoying process. I was rather insulted by the whole thing because I am quite capable of writing my own letter of invitation and to be told that I could not proceed with the training programme, when everything was in place and the only delay was an 'approved' invitation letter became quite ludicrous'[969].

Many of the other coordinators and organisations were similarly affected, particularly when pre-selected training dates were initially confirmed and then subsequently

[969] Jobst Bodenstein.

cancelled because delegates from DSD had not received their invitations. This meant that other planning and arrangements were delayed until invitations were sorted.

In spite of the decisions and agreements made during the emergency meeting held on July 24th, the problem, regarding the availability of the NACCA network manager and her ongoing failure to adhere to time lines, persisted. Additionally, because logistical arrangements were divided amongst the NACCA network manager, Wits Enterprise, Street Law (Wits) and the coordinators from DSD and Street Law, with no one central point from which to steer proceedings, confusion continue to plague the project. By the 30th July important and fundamental tasks remained incomplete, frustrating both Wits Enterprise and Street Law (Wits). UNICEF was called in, once again, to intervene, which led to an email from the UNICEF representative:

> 'I understand that the confusion re roles and what needs to be done on the succession planning project prevails. To start with I am attaching notes from the teleconference on the 24th July, then let's talk about changes to this that we want to make. After we've talked about the changes, we'll need to draw up another project plan for the roll-out to provinces'[970].

Finally, an emergency meeting was held in early August, between UNICEF, Wits Enterprise and the Street Law (Wits) coordinator, with the knowledge of the NACCA network manager. At this meeting the decision was made that, in order for the project to be rolled-out in time, even within the renegotiated end date of 30th November 2008, it would be necessary to reconsider the value of including an external network manager who was not integral to the process and was often unavailable.

At this point, the emerging blockages could, to some extent, be attributed to the fact that the NACCA network manager, operated outside of the network and was not wholeheartedly committed to the project. The peripheral nature of her relationship to the network affected her ability to interact appropriately with other network actors and impacted negatively on relationship building within the network. This ultimately led to a break down in the level of trust between key actors and the network manager with certain of these actors openly questioning her ability to act as the network manager. A further exacerbating factor was the uncertainty expressed by actors such as Wits Enterprise and Street Law (Wits) regarding the accountability of the network manager. No one organisation had the authority to dictate to the manager for her failure to

[970] UNICEF email dated 30 July 2008.

perform. This lack of accountability introduced a high degree of frustration for the actors who were committed to the overall project and its success.

This phase of the implementation process illustrates two fundamental aspects that relate to the adoption of strategies best suited to a networking environment. Firstly it highlights the importance of ensuring that network actors share a common or joint vision with respect to operational activities within the network. Secondly it draws attention to the unique role played by a network manager who needs to facilitate interorganisational activity in an environment where there is diffuse accountability and no central authority.

6.5.5 Network management: The dilemma

Unlike the top-down perspective of a classical management approach — with clear, predetermined lines of authority — policy networks are, by their very nature, complex and non-hierarchical, with no one actor holding central control. This complexity is introduced through the involvement of a variety of actors, bringing a range of perceptions, organisational influences and strategies into the mix. Such complexity calls on a network manager, or managers, to move away from the comfort and certainty of formal rules and central control, toward a looser arrangement where energies are directed toward 'promoting cooperation between actors within a set framework of interorganisational relations'[971].

Thus, in a network of diverse actors, management calls for a more differentiated approach, resulting in authors such as O'Toole referring to the network manager as a network facilitator. Here the facilitator encourages actor interaction processes and, at times, influences the arrangement of the network in order to improve coordination[972]. As the skill of the network manager or facilitator lies in the manager's ability to work within the network structure and encourage interaction between the various actors, the hands off approach adopted by the NACCA network manager fell far short of this goal.

During the pilot, the network failed to get off the ground because actors needed clarity on issues such as: whom to report to; who was primarily responsible for what; and, who was accountable to whom? Of particular concern was the NACCA network manager's lack of apparent accountability within the network and to other network actors. This

[971] Kickert, W. & Koppenjan, J. 1997. 'Public Management and Network Management: An Overview'. In: W. Kickert, H. Klijn & J. Koppenjan, *Managing Complex Networks,* page 60.

[972] Kickert, W., Klijn, E. & Koppenjan, J. 1997. 'Introduction: A Management Perspective on Policy Networks. In Kickert, W. Klijn E-H. & Koppenjan, J. (eds) Managing Complex Networks: Strategies for the Public Sector, page 11.

proved to be a fundamental weakness particularly when certain tasks were allocated to the network manager and were continuously left incomplete.

The failure to perform certain tasks resulted in serious delays during implementation. Thus, the influence of the manager's detached and somewhat ad hoc approach noticeably affected actor interaction and ultimately blocked other actors from achieving their project objectives. In this case Street Law and Wits Enterprise, as the actors responsible for ensuring implementation of the training pilot, — arranging logistics, ensuring training roll-out and making payments — felt powerless when faced with an actor who appeared indifferent to their concerns and to the overall aim of the project.

In order to address the need for a more effective management approach, particularly considering the tight time allocation, it was decided that management should be handed over to Wits Enterprise, in collaboration with Street Law (Wits) and the task team. This then provided a less convoluted process of linking ties between the various network actors and created opportunity for a clearer process of implementation during the pilot.

6.5.6 Moving on from the challenges

By the time this decision was made, three months had passed since submission of the training materials for branding, two months had passed since the coordinator's meeting and the emotions of many key actors were high. Additionally, in the haste, to get things back on track and make up for lost time, clear planning and role allocation was once again overlooked. In response to the new and unexpected management task ahead of it, Wits Enterprise decided to bring two extra people onto the team, both never having worked in the project before. This was done without appropriate introductions and with no consideration of the capabilities of the team already in position. (During the first two phases, Street Law (Wits), the previous Wits Enterprise team and the task team, had gradually built a relationship based on trust, this should have been utilised to the project's advantage).

As a result of the hasty decision to include additional individuals into the Wits Enterprise team, without considering the impact this may have on roles already being played by actors in the network, there were occasions when relationships between Wits Enterprise, Street Law (Wits) and the NACCA task team became tense. This was particularly apparent when problems occurred in the midst of a busy training schedule, often after-hours, requiring quick-thinking and creative problem solving by a facilitator or coordinator (from Street Law or DSD) who would call on Street Law (Wits) for

assistance. In such instances the top-down, generic approach adopted by Wits Enterprise was not always suitable, particularly when actors were in the habit of communicating directly, sometimes after hours, with the Street Law (Wits) staff. These situations often introduced a certain degree of conflict between Wits Enterprise and Street Law (Wits), with Wits Enterprise noticeably struggling to adapt to a more horizontal management style when dealing with external challenges or peripheral actors. Nonetheless, the differing management styles did not impact negatively on the successful implementation of the overall project:

> 'The project did very well, despite these challenges, because compensatory actions were initiated. The healthy symbiotic relationship between Street Law [Wits] and Wits Enterprise worked well to fill in the gaps that had emerged in the course of the roll-out of the project. It is important to note that Wits Enterprise only became involved in the project at a late stage. This was to compensate for the dysfunctionalities that had emerged (prior to Wits Enterprise's involvement) in the preceding allocation of and follow-through on responsibilities'[973].

6.5.7 Pilot training workshop

In spite of the differences in coordination or management approaches, the implementation process was soon on track. The materials finalisation process had already commenced and, although published materials would not be ready for most of the pilot, later workshops would receive printed manuals. Invitations were finalised quickly and circulated. Once again, coordinators[974] confirmed training dates, provided delegate lists and training was able to start almost immediately in most of the provinces.

One of the primary concerns, as a result of the unexpected delays, was that many of the Street Law coordinators would not be available. It was decided that those coordinators, affected by the delay, needed to be accommodated as soon as possible. As the North West coordinator had already invited delegates, training commenced by the 5th of August 2008 (Table 6.3). This was followed by roll-out of workshops in Mpumulanga and Limpopo provinces. As Street Law (Wits) students were expected to facilitate in these regions, facilitator availability in the two provinces was dependent on University vacation periods.

Student involvement was one of the primary reasons behind the participation of Street

[973] Booysen see note 922 at 17.

[974] Both from DSD and Street Law (Wits).

Law (Wits) in the succession planning project. Thus, students registered in the Street Law (Wits) course were an integral part of the materials development phase, they were also trained in the facilitation of the pilot materials and a selected number were expecting to participate in the training roll-out.

> 'The Street Law trainers that had facilitated the workshops along with student assistant trainers received overwhelmingly positive participant assessments… The student facilitators were equally greatly admired and their inputs appreciated. These high estimations unambiguously persisted into the retrospective focus group assessments'[975].

Therefore, in order to accommodate student facilitator's in the project, the training dates were quite specific to the student timetable (Table 6.3).

Table 6.3: Pilot training of the succession planning project in the provinces

Province	Workshop Dates	Facilitator	Participant Numbers Total: 187
North West	5th–7th August 2008	Jobst Bodenstein	17
*Mpumulanga 1 (Wits Rural Facility)	18th–20th August 2008	Street Law students (Supervised by Colgan)	*8
Limpopo	20th–22nd August 2008	Street Law students (Supervised by Colgan)	20
Gauteng	17th –19th September 2008	Desia Colgan	19
Eastern Cape	17th–19th September 2008	Lindi Coetzee	19
Northern Cape	8th–10th October 2008	Desia Colgan	22
Western Cape	13th–15th October 2008	Desia Colgan	19
KwaZulu-Natal	27th–29th October 2008	Lloyd Lotz	27
Mpumulanga 2	27th–29th October 2008	Desia Colgan	18
Free State	12th–14th November 2008	Desia Colgan	18

Note: * = Controversial demarcation of Mpumalanga. Problem outlined in text

The student facilitators, selected for the workshop training, were divided into two teams of six facilitators. The students travelled together to Wits Rural Facility (WRF), a satellite campus of the University of Witwatersrand, where one team of student facilitators remained to facilitate a training workshop in Mpumulanga. The other team travelled on to Tzaneen where they facilitated the Limpopo training workshop (Table 6.3). The Mpumulanga training was marred with controversy. As stated in the evaluation report:

> 'Specific problems were encountered in the original Mpumalanga training of 18-20 August 2008. DSD representatives did not attend because, at the time, the Wits Rural Facility where the training was to be held was still in its re-demarcated Limpopo position. Subsequently, the provincial re-allocation has been tentatively reversed by government

[975] Booysen see note 922 at 43.

and the locality appears to be confirmed to be in Mpumalanga. The Mpumalanga training was re-run at a later stage'[976].

As a result, a few days prior to the training and after all 20 delegates had confirmed and logistics were finalised, an urgent email was sent from UNICEF to Wits Enterprise, stating that the DSD delegates would be unable to attend. The reason provided was that the training venue was not in Mpumulanga. Such a last minute change of plans had the potential to impact negatively on the project and the actors involved, it directly affected: 1) student facilitators, the training was part of their course assessment; 2) Mpumulanga NGO delegates who had confirmed attendance a month in advance; 3) the Limpopo training, students worked as a team and had a travelled together as the group working with rural communities; 4) bookings for accommodation, transport, venue hire and catering that were confirmed long in advance; and 5) the reputation of the Street Law (Wits) programme and the succession planning project.

Therefore Street Law (Wits) decided, without the support of Wits Enterprise, to proceed as planned. It was hoped that, with the assistance provided by professional staff at WRF who were in touch with their networks in the region, reason would prevail. Nonetheless, despite all attempts to address the issue, on the day of the training, 11 DSD delegates chose not to attend the training, this meant that another training workshop, at a later date, needed to be arranged for DSD delegates from Mpumalanga.

This incident highlighted the value of interacting and cooperating with other actors in the network, in order to build relationships and develop trust between the different actors. Where actors in a network have been encouraged, through management strategies, to interact consistently and constructively, trust will develop. Where actors know and trust one another, opportunities improve for enhanced cooperation and a chance to negotiate for a win-win outcome for all stakeholders. Bardach speaks of a 'culture of joint problem solving' where the interests of all actors are taken into account[977].

No opportunity for deliberation or negotiation was entertained, despite numerous requests from the Street Law (Wits) and NGO participants. This created unnecessary distress and frustration, resulting in the perception, by the more peripheral, NGO delegates, that their needs were irrelevant. Even so, for the remainder of the pilot and, in spite of these challenges, workshops were able to proceed and most problems were resolved through improved communication, consultation and team work.

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[976] Booysen see note 922 at page 29.

[977] Bardach, E. 1998. *Getting Agencies to Work Together: The Practice and Theory of Managerial Craftmanship,* page 232-238.

6.6 Finalisation of pilot

The training pilot improved noticeably with the clarification and acknowledgment of actor roles and duties and enriched actor interaction, through the opening of communication links. Although training proceeded relatively well[978], it was not entirely devoid of incident. However, challenges were able to be resolved timeously with minimal impact on the experience of workshop delegates; resulting in the successful completion of project goals.

6.6.1 Challenges and resolutions

Other problems, specific to the training pilot, could be attributed to Wits Enterprise unexpectedly taking up coordinating reigns, and lacking the community liaison experience, particularly with respect to working with rural communities or NGO projects. As a result, the approach adopted, during pilot roll-out, was more suited toward working with professional delegates based in urban areas and did not take into account the needs of delegates living and working in remote, rural areas[979].

Most of the problems encountered, were resolved when Wits Enterprise adopted a collaborative, flexible approach in its interaction with network actors. As a team, Wits Enterprise and Street Law (Wits) addressed a range of problems from: communication break-down between actors — delegates, coordinators (DSD, Street Law) and task team members — to constraints over time and finances. A further concern, voiced by many delegates, related to keeping communication links open after office hours, as issues, such as finding transport or locating venues, often took place in the evening or morning prior to training[980]. On these occasions, delegates and facilitators would resort to contacting the Street Law (Wits) emergency contact numbers. The Street Law (Wits) administrator said in an interview:

> *'To me it is obvious that when planning a workshop the organizers will look at a map of the area where the training is to take place, establish where the delegates are coming from and provide them with clear directions where they were going and also make sure they are available in case people get lost or at least have a contact number for such emergencies. You also establish the facilities at the venue, is there parking, have you got flip charts, water and is it safe? People need to know that we care about them. We*

[978] Booysen see note 922.

[979] Often in deep rural areas where access to internet, even to a fax machine, was limited.

[980] Transport strikes interfered with some delegates or delegates got lost trying to locate training venues or accommodation.

eventually sent out my own number to give people the chance to call if needs be[981].

6.6.2 Key factors raised in pilot

Many of the key challenges encountered during the training pilot (Phase 3), were duplicated, albeit to varying degrees, during the later roll-out (Phase 4) of the succession planning project. The common challenges encountered were interrelated and could be attributed to the complexity of managing a multilevel, multi-actor process where the diversity of values, perceptions, resources and levels of trust introduced potential for confusion, chaos and conflict. By not taking into consideration the existing 'web of complexity' within the network, particularly when planning the roll-out, the project was confronted with a number of recurring problems[982]. The most common of these were: the reliance on a traditional, centralised management approach; the on-going failure to clarify actor roles and responsibilities; unclear communication processes that struggled to accommodate the diverse mix of actors; lack of conflict resolution processes; and a lack of clarity regarding the accountability of network actors.

It could be seen that the management dilemmas, encountered during the pilot and largely duplicated during roll-out, were due to organisations failing to acknowledge or understand the fundamental characteristics of a networking environment. One of the primary issues, noted in each phase, was the fact that many actors were unaware they were operating within a network type structure. This meant that certain significant and necessary adjustments, required at a procedural and substantive level, never took place. This lack of recognition impacted on aspects such as the coordination of enhanced actor interaction — fundamental to the success of a networking arrangement — and resulted in the adoption of a more hierarchical approach during preplanning and implementation. Agranoff and McGuire point out that network management is a function that is different from hierarchical management[983] and a network manager needs to adapt to operating within a network with a diverse mix of actors.

A further issue, dogging the project throughout, was the confusing array of terms used to describe the role of manager or managers. Terms used varied from manager, coordinator, project manager or network manager and these roles were conflated to such an extent that network actors themselves were unsure of who was responsible for

[981] Chomse, C. Assistant coordinator Street Law (Wits). Interview dated April 2009.

[982] Kenis, P. & Schneider, V. 1991. 'Policy Networks and Policy Analysis: Scrutinizing a New Analytical Toolbox.' In: B. Marin & R. Mayntz (eds.) Policy Networks: Empirical Evidence & Theoretical Considerations, page 25.

[983] Agranoff & McGuire see note 923.

overseeing the overall process and who they were accountable to, if anyone.

However despite these challenges, the training was well met, receiving glowing recommendations from both participants and provincial coordinator alike. Due to the success of the pilot project, further training was planned in terms of NAP 2009-2012. The NAP objective aimed to increase the number of resource people trained and spread the training workshops throughout South Africa into three districts in all nine provinces. This therefore meant the number of experienced facilitators would need to increase in order to cope with the larger number of stakeholders involved in the training.

> 'The survey delivered a range of highly positive assessments of the training in issues of succession planning. These ranged from highly favourable assessments of the facilitators, their approaches, styles and in-depth knowledge, to most positive accolades for the knowledge that had been imparted and gained. The Succession Planning Guide, and specifically its contents and style of presentation were highly appreciated. Participants reported feeling highly empowered and confident that they would be able to share their learning both in their personal and their professional circles'[984].

The roll-out of the succession planning training workshops (Phase 4) followed on from the pilot study and is described below. As the study utilised two analytical methods, qualitative and quantitative, with differing approaches that were used to asses different aspects of the succession planning project, these are divided into two sections: Part One describes the qualitative study; and Part Two the results of the quantitative analysis.

[984] Booysen see note 922 at 37.

6.7 Phase 4: Roll-out of succession planning training workshops 2009-2011

The succession planning training was seen as a landmark project for both DSD (National) and UNICEF, run under the auspices of the NACCA steering committee. In UNICEF's evaluation report it was stated that it 'was one of the more successful projects UNICEF had implemented in terms of their agreements….'[985]. In the 2009 NAP, succession planning workshops were once again included as one of the key objectives under capacity building where it speaks of mainstreaming succession planning, in terms of strategy one; Objective 1.4. In the review of the NAP 2006-2008 it stated that NAP 2006 was aimed at 'initiating the programmes and activities for OVC'. NAP 2009 was expected to build on the foundation of NAP 2006-2008 and to further improve and expand the capacity and services in terms of the objectives set down in NAP 2009-2012. In line with the intention to expand the capacity of service providers working with OVC, Objective 1.4 provided both the detail of the required activities and widened the scope of training to include resource people such as, social workers, auxiliary social workers and paralegals.

6.7.1 Planned implementation of Phase 4

For technical support UNICEF approached the Street Law (Wits) coordinator, Colgan, and spoke about expanding the training to include additional service providers from DSD and their civil society affiliates. It was agreed that, in spite the pilot's success, the service provider would be better placed if was an organisation that had experience in organising and facilitating training workshops within grass-root communities. After discussions between UNICEF, the NACCA steering committee and Colgan, an organisation, that had a previous relationship with Street Law (Wits), was identified as having the requisite community and facilitation experience[986]. The proposed new service provider was a national not-for-profit-organisation (National Organisation[987]) housed at a University and affiliated with other similar programmes based at a number of academic institutions in South Africa.

[985] Interview with H. Loening-Voysey (UNICEF) March 2012.

[986] The primary concern about this service provider was its hierarchical organisational structure, using a classical management style, focussing on control and power invested at the top. The concern was that a top-down approach may struggle to adapt to working in a complex multi-party network mix where a less rigorous linear and singular approach to management was needed. Nonetheless, their experience and relationship with Street Law (Wits) strongly influenced the final decision.

[987] To ensure the anonymity of the organisation it will be referred to as the National Organisation.

During initial discussions between Colgan[988] and the National Organisation, an informal, understanding was reached[989]. In terms of the understanding it was agreed that, to avoid a repeat of problems in the pilot[990], certain roles and responsibilities should be identified and shared between Street Law (Wits) and the National Organisation prior to commencement of the project (once approved by the NACCA steering committee). Based on the initial conversation and on the support of Colgan and UNICEF, the NACCA steering committee agreed to proceed with the proposed service provider. The process followed in the implementation of the roll-out is summarised in Figure 6.5.

The planned date for roll-out was June 2009, after discussions were held with both UNICEF and DSD. Primarily due to a delay in UNICEF's funding, project roll-out was only able to commence in the latter part of 2009. Prior to signing an agreement, exploratory meetings were held with representatives from the National Organisation, Street Law (Wits) and UNICEF. These were soon followed by meetings with National DSD representatives. In these early meetings TOR were identified — including certain tasks — and objectives, time lines and budgets were outlined[991]. After the negotiation process, a cooperation agreement was finalised and signed between UNICEF and the National Organisation in collaboration with Street Law (Wits), Table 6.4.

The two designated officials responsible for project roll-out, as specified in the agreement, were the CEO of the National Organisation and Colgan, the Street Law (Wits) coordinator who was identified as project manager[992]. In terms of the cooperation agreement between UNICEF, DSD and the National Organisation, the primary objective of the project was to ensure delivery of 27 Succession Planning workshops across South Africa. This meant that three district training workshops would take place in each of the nine provinces involving 20 to 25 participants who would be identified and invited by DSD coordinators.

As with the pilot, the time frame for completion of the succession planning roll-out was significantly reduced, due to the later than planned initiation of contract. This meant, after the initial meetings, the time-frame for completing 27 trainings throughout South Africa was reduced to 5 months. This limited time frame was also impacted upon by the

[988] Tasked with identifying a suitable service provider.

[989] It was as a result of these informal discussions and agreements that the technical consultant decided to support and advocate for the selection of the proposed service provider.

[990] To also provide a historical link to the programme and both avoid mistakes made in the past and work towards adopting a more integrated, collaborative approach to the management mix.

[991] Although not clarified and certainly not well thought through.

[992] The Street Law (Wits) Regional Director and course coordinator. Unfortunately this was broadly stated initially and as a result clarity or how this would play out was never certain.

requirement that key stakeholders would need to be involved, directly or indirectly, during roll-out, and was further exacerbated by the Christmas vacation falling in the middle of the planned roll-out time.

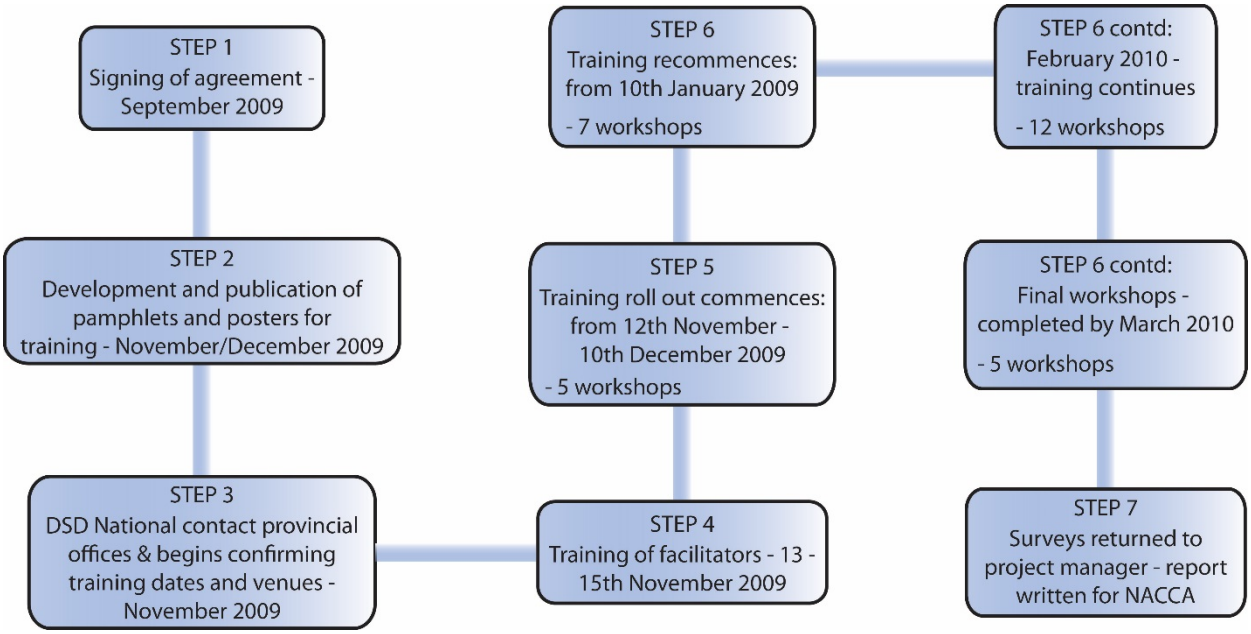

Figure 6.5: Steps followed during implementation of the 2009-2010 succession planning project

Furthermore, although materials were printed and available for the planned training workshops, additional activities were included[993], such as the preparing and publishing pamphlets and posters (Step 2, Figure 6.5). The planned roll-out for the training workshops once again followed a series of steps with specified deadlines and subdivision of roles for the various actors. These steps are summarised in Figure 6.5, from Steps 3 through to 7.

6.7.2 Influence of pilot on Phase 4

With respect to the 2009-2012 NAP, Objective 1.4 was to roll out the training workshops to social workers, social auxiliary workers and paralegals[994]. The objective was to train approximately 500-600 participants. To achieve this, in terms of the agreement between DSD, UNICEF and the National Organisation, certain aspects of the pilot (Phase 3), were once again adopted during roll-out (Phase 4): 1) technical support would continue to be provided by UNICEF, in terms of the Country Programme Agreement[995] with the South African Government; 2) the project continued to be implemented in close collaboration with DSD under the auspices of NACCA, using the same high end

[993] Based on the feedback from the evaluation and from participants in the pilot training

[994] Initially training was for suitably qualified people from DSD such as, social workers. The brief changed when DSD pointed out that the primary people responsible for carrying out their work were NPO/NGOs, often auxiliary social workers and careworkers.

[995] UNICEF Country Programme Agreement.

network actors[996]; 3) materials developed and the programme tested, in the pilot, were to be used in the roll-out of workshops; and 4) a task team (reference team), made up of representatives of the high-end network actors, would once again be established.

There were also differences between the pilot (Phase 3) and roll-out (Phase 4) of the project. Some changes were introduced in response to the learning that took place during the pilot, others were implemented by the National Organisation, as service provider, who adopted a traditional management approach and visibly struggled to work within the existing network structure[997]. The most noticeable changes introduced, as a result of the experiences encountered during the pilot, related to the allocation of roles and responsibilities amongst network actors and the decision to avoid using a network manager who was external to the project.

During this phase of the project, responsibilities were delineated between the National Organisation, working in collaboration with Street Law (Wits), the DSD National and Provincial coordinators, and UNICEF. In terms of the current roll-out, lines of responsibility were to be shared between the key network actors. Each actor was expected to carry out specific tasks or to provide resources and no one network actor had sole authority over the project.

Badran[998] says that these policy networks consist of a variety of actors who have their own resources, goals and strategies and that '(n)o single actor can unilaterally dominate and predetermine strategic actions of the other network members'[999]. This meant that, during roll-out, it was necessary to recognise and respect the varying contributions made by all network actors involved in the project. It also highlighted the value of approaching the pre-planning process, within a network, from a different angle to that traditionally adopted in a more hierarchical structure. O'Toole warns that cooperation in a network is complex, needing management skills[1000] and strategies of a particular kind very unlike those skills traditionally utilised in hierarchical processes.

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[996] In terms of the Policy Framework; Department of Social Development (DSD). 2005. *Policy Framework on Orphans and other Children made Vulnerable by HIV and AIDS: Building A Caring Society Together*.

[997] It is not always ideal to bring a new service provider into a pre-existing network arrangement. It was a necessary decision, despite the fact that the service provider had no existing relationship with the other key network actors, including the project manager, who were involved in this project during the pilot. For a service provider in such a situation 'joint visioning' should automatically have been a strategy to adopt.

[998] Badran. 2011. 'The Potential of the Network Approach for Analysing Regulations and Regulatory Processes: Empirical Examples from the Egyptian Telecommunication Sector'. *International Journal of Politics and Good Governance, 2 (2.1)* Quarter I.

[999] Badran see note 998.

[1000] In some of the literature the point is made that management is envisioned as taking place at a meta-level, with an external manager. I argue that much of the management process can be adapted to practical implementation at all levels: Sandström, A. & Carlsson, L. 2008. The Performance of Policy Networks: The Relation between Network Structure and Network Performance. Policy Studies Journal; 36 (4), page 497-524.

An inability or failure to consider such strategies, could certainly lead to negative, messy outcomes, causing network blockages or break-downs as a result of power struggles, miscommunication or conflict. Klijn and Koppenjan[1001] highlight certain strategies that can be employed in order to address these network challenges: 1) selection and activation of actors in the network, making sure that the correct actors are involved and motivated; 2) work at improving 'mutual perception' of these diverse actors about a problem or issue by 'creating a minimum convergence of perceptions' and also at 'creating packages of goals which are acceptable' to the actors involved; 3) creating temporary organisational arrangements so that interactions between actors can be maintained and strategies coordinated; and 4) introduce means that assist with improving interaction and supervision of the network, using both process approach and conflict management[1002].

6.7.3 Commencement of the training roll-out

As with the pilot project, and in spite of the prior allocation of specific responsibilities amongst the network actors[1003], problems revealed themselves soon into the training roll-out. These problems could be attributed to the complexity of working within a multi actor arrangement exacerbated by the haste in which the project was implemented[1004]. As a result of tight time lines certain important strategies[1005] were overlooked, even viewed as too time consuming and not necessary. These strategies ranged from: improving the mutual perceptions of actors[1006]; introducing temporary organisational arrangements; clarifying roles and responsibilities and ensuring a certain degree of accountability; and, putting processes in place to address challenges and conflict.

Thus the value of this post-pilot phase of the project was twofold firstly, it highlighted the complexity of managing a diverse network of actors, calling for management skills unlike those needed in the traditional sense[1007]. In this context focus lies on managing

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[1001] Klijn, E. & Koppenjan, J. 2000: 'Public Management and Policy Networks', *Public Management: An International Journal of Research and Theory*, 2 (2), page 135-158.

[1002] Klijn & Koppenjan see note 1001.

[1003] On the part of the service provider certain responsibilities were pre-identified but not in detail. This lack of clarity directly impacted on the project manager's role, whose duties underwent numerous variations during implementation. These changes were introduced in a knee jerk reaction to the challenges experienced during roll out and originated from the National Organisation in a top-down manner, falling back on traditional strategies used in a typical hierarchical arrangement.

[1004] This was an issue that persisted throughout. During the 2011 training rollout only 3 months were granted to carry out close on trainings.

[1005] Highlighted in: Klijn & Koppenjan 2000; O'Toole 1997; Schneider 1992.

[1006] Klijn & Koppenjan see note 1001.

[1007] Agranoff, R. & McGuire, M. 2001. 'Big Questions in Public Network Management Research'. *Journal of Public Administration research and Theory,* 11 (3), page 296.

the network and coordinating interaction between actors, understanding that, 'all interests should be included in network processes'[1008]. Secondly, it revealed the impact that one actor can have on other actors in the network and on the network function, particularly when the one actor adopts a more hierarchical management approach[1009].

The following section explores the difficulties encountered during training roll-out (Phase 4), emphasising the value of conducting some form of joint visioning or mutual goal setting (joint planning) prior to implementing complex processes within a network. Through joint planning network actors have an opportunity to: 1) determine or develop a common view by sharing information and influencing perceptions; 2) clearly delineate roles and responsibilities, including processes of accountability within the network[1010]; 3) identify appropriate methods of communication, including consideration of the nuanced needs of a diverse group of actors and stakeholders, from both the public and private sector; and 4) focus on building relationships and trust between the actors.

6.7.3.1 The value of joint planning: Implementation in a network environment

The first step, after signing the agreement and prior to training the facilitators, was to call the high-end network representatives together in order to put practical plans in place for a way forward. The plans focused on: clarifying workshop objectives; broadly identifying roles and responsibilities relating to logistics, administration and financial issues, and introducing key task team members to representatives of the National Organisation[1011]. Because of the delay in the signing of the final agreement, the initial dates set aside for such a meeting were subsequently changed, thus contributing toward the sense of urgency about 'organising a meeting as soon as possible'.

This urgency resulted in a problematic decision to proceed with an important strategic planning meeting in spite of the fact that certain key actors, including Colgan, as project manager, were unable to attend at the proposed time[1012]. It can be argued that the decision to proceed was a major oversight on the part of both the National Organisation and high-end network actors as a crucial step in the preparation and mobilisation of

[1008] Agranoff & McGuire see note 1007 at 298.

[1009] Kickert, Klijn & Koppenjan see note 972 at 11.

[1010] Recognising existing internal institutional accountability and accountability between principle and agent in terms of contractual obligations whilst at the same time calling for a network structure form of governance.

[1011] Ideally all members of the service provider should have been present. This was an oversight.

[1012] Both representatives from Street Law (Wits) Office were unable to attend the meeting. The project manager was out of the country participating in another National Organisation project. This was planned well in advance. The date for the planning meeting should never have been agreed upon by the key actors in the first place.

actors in the project was omitted[1013]. The time set aside for such an important planning meeting also indicated that a deeper level of engagement could not have taken place[1014]. The failure to recognise the vital role played by some form of joint planning or mutual goal setting, in preparing for implementation, perpetuated the uncertainty and complexity inherent in a network structure[1015]. As a result of ongoing misperceptions and varying expectations held by the different actors involved, rifts developed which contributed to communication breakdown, conflict and the emergence of opportunistic behaviour by specific actors at certain stages of the roll-out.

Much of the initial planning process focused on the ultimate goal of the project, i.e., to roll out 27 training workshops throughout South Africa. Limited consideration was given as to how this was to be achieved, within a network environment and with a diverse group of stakeholders. This goal oriented approach was remarked upon by a member of an organisation who said, 'the Director saw people as numbers and was just ticking a box, it was simply outcomes oriented with no real sensitivity or appreciation of the project or the people[1016]'. As a result, when conflict inevitably occurred, and actor boundaries were crossed, there were no mechanisms in place to control the skewed power games that subsequently took place between actors in the network[1017].

6.7.3.2 The relevance of actor perceptions

When suggested strategies regarding the building of mutual perceptions are inadequately introduced or ignored, the differing or conflicting perceptions held by various actors, with respect to their position and the position of others in the network, will inevitably influence and impact on the way in which actors interact in and across the network. Certainly, in both the pilot and subsequent roll-outs[1018] the failure of key actors, particularly those new to the project, to develop an appreciation of the network context, beyond the planned policy outcome (goal orientated), and to understand the importance of interacting and cooperating with other actors and stakeholders in the network, was sorely undermined or undervalued[1019]. This failure, to understand the complexity, yet value, of the networking environment, introduced a mode of operating

[1013] Activating the correct players in a network is a task that is, 'of crucial importance to network effectiveness', whereas mobilising focusses on motivating and inducing commitment of actors, Agranoff & McGuire see note 1007 at 299.

[1014] In addition minutes of this meeting were never circulated amongst the stakeholders involved.

[1015] Minutes of this meeting were never circulated.

[1016] Interview with representative from organisation involved in project roll-out, dated November 2012.

[1017] Kickert, Klijn & Koppenjan see note 972.

[1018] The 2009-2010 and 2011 roll-outs.

[1019] This was clearly indicated in the communication between the National Organisation and other network actors and at no time during the two project roll outs was this apparent lack of context addressed (either historically or socially).

that shifted the focus away from relationship building and furthering joint activities, to a process where certain actors acted outside of the network, adopting 'go it alone strategies' at times during implementation.

Termeer *et al.* point out that, '(w)hen actor's interact for the first time, they have to invest in getting to know each other, in understanding each other's interests and perceptions, and in developing a common language'[1020]. The inability to build a foundation from which various stakeholders could begin to recognise their mutual dependence on one another and begin to develop a common discourse, certainly had an impact on the way in which relationships were able to develop, how some relationships never developed and how some existing relationships ultimately broke down (Figure 6.6 and Table 6.4).

6.7.3.3 Building network relationships

Most writings on the implementation of policy in policy networks point at the importance of adopting different approaches and strategies to those used within a hierarchy. O'Toole, Klijn and Koppenjan[1021], all emphasise the importance of developing relationships and identify the need to adopt certain key strategies to cope with the realities of working in a network structure[1022]. It was therefore a naïve assumption, in this project, to expect a variety of actors, all with differing values and perspectives — steeped in a specific institutional culture and discourse — to automatically adjust to the reality of working with other actors in a complex network. Although certain key actors had interacted with one another over a period of time which, according to Termeer and Koppenjan[1023], developed 'relatively stable interaction patterns and shared perceptions' amongst the group[1024], the same could not be said of the actors who joined the network later in the process[1025]. As Termeer and Koppenjan say, these perceptions play a crucial role in the interactions in a policy network and, where perceptions are not shared, 'enduring policy controversies may arise'[1026].

The relationship between key actors in the network varied from one of close-knit ties

[1020] Termeer & Koppenjan see note 960.

[1021] O'Toole 1997; Klijn & Koppenjan 2000.

[1022] O'Toole, Klijn and Koppenjan speak of joint planning, mutual perceptions. Rhodes 1997 speaks of operating in an 'institutional void'. All highlight the value of trust, communication and building relationships in a network.

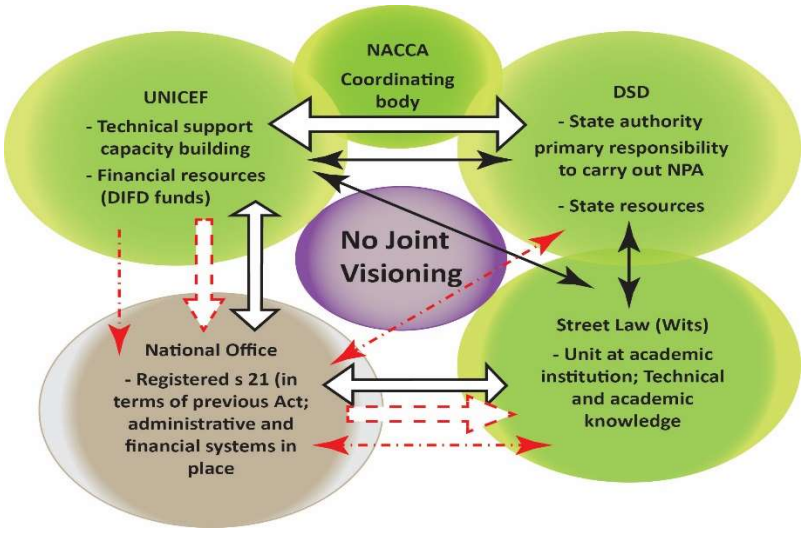
[1023] Termeer & Koppenjan see note 960 at 83.

[1024] They refer to this as the development of social configurations.

[1025] This does not mean that actors will easily share a common perception as perceptions are based on personal beliefs and thus influence the processes by which actors accept and select information. (Termeer & Koppenjan see note 960 at 84)

[1026] Termeer & Koppenjan at page 84.

between UNICEF, DSD and NACCA, who have frequently interacted with each other over time, to one where the relationship existed because of a formal agreement. With respect to the DSD/UNICEF relationship, the process of communicating, working together and building relationships with one another, although not always ideal, has been integral to their continuing work that lies beyond this particular project. Additionally, during late 2006, the Street Law (Wits) programme commenced negotiations with UNICEF, prior to the pilot succession planning project. This relationship extended to and incorporated NACCA and DSD. The Street Law (Wits) office had also worked with UNICEF and DSD on the children's act project, 2008-2009. Thus, prior to the training roll-out (Phase 4), UNICEF, DSD and Street Law (Wits) had interacted with each other for over a period of 3 years and the foundation for a more inclusive relationship had begun to be built between the various actors (Figure 6.6).



KEY	
Formal relationship links: Reciprocal Agreement	
Perception of Authority — either contractual or institutional	
Reciprocal Relationship of Trust	
Break down of relationship	

Figure 6.6: Network actor relationships during the roll-out of the succession planning project

The two service providers responsible for the administrative and financial oversight of the project, Wits Enterprise and the National Organisation, were new actors to the network and it was clear that neither were appropriately integrated into the pre-existing network. This meant that throughout implementation both organisations struggled to interact appropriately and develop 'a common language'[1027] and understanding with other actors in the network and this struggle became quite apparent when challenges

[1027] Termeer & Koppenjan see note 960.

began to emerge — particularly during the training roll-out (Figure 6.6). Where actors do not share a sufficient common purpose various management approaches exist that may be used that go beyond developing 'mutual perceptions'. O'Toole states that 'those seeking to influence networks toward cooperation often need to attend to their strategic contexts and not merely seek a common rationale to unite disparate actors. They will need to look for acceptable compromises, convince participants to alter perspectives and invoke the shadow of governmental intervention'[1028]. The following section examines the notion of actor perceptions, highlighting the influence that such perceptions may have within a complex network structure particularly during the implementation of a planned policy programme.

6.7.4 Understanding perception in a networking environment

Working in a network structure calls for an understanding of the actors' different perceptions not only toward the policy objectives, but of their roles and of their relationships with other actors in the network and to the network itself. Different actors bring into a network their own definition of the world that surrounds them[1029] and this influences the willingness of these actors to work with one another so as to achieve a collective purpose[1030]. The different perceptions held by actors will ultimately define the strategic actions they choose to take. Closely connected to the perceptions that inform an actor's strategic decisions, referred to as the cognitive dimension, is the social dimension, which relates to the *kind* of actor participating in the network and the *manner* in which that participation takes place[1031]. If certain actors are unable or unwilling to adjust their perceptions, this may result in network blockages, either through a social or cognitive fixation, which may ultimately affect the successful implementation of the policy objective. But perceptions can be adjusted[1032] they are dynamic in nature and are constructed, and reconstructed, through our interactions with others[1033]. Having said this, although perceptions can change, they also have 'their own dynamics' which makes it somewhat difficult to 'consciously influence them'[1034].

In order to explain the implementation process followed and the challenges

[1028] O'Toole see note 961 at 150.

[1029] Termeer *et al*. see note 960 at 79.

[1030] Termeer *et al.* at page 79.

[1031] Termeer *et al.* at page 88.

[1032] Termeer *et al.* at page 80.

[1033] Termeer *et al.* at page 85.

[1034] Termeer *et al.* at page 84.

encountered during the roll-out of the project, both in 2009-2010 and 2011, this section explores the different perceptions held by the high end network actors in the project. The data gathered to assist in determining actor perceptions during this phase, at a cognitive and social dimension, was based primarily on email communications between the high-end network actors who were involved in the implementation of the roll-out of training workshops. Secondary sources were gathered through observation, meeting memos, journal accounts and interviews with UNICEF representatives and two administrative assistants from Street Law (Wits) and the National Organisation.

6.7.4.1 Actor perceptions within the succession planning project

Actor perceptions, at the cognitive dimension, influence decisions made and strategies taken by actors in a network. In the 2009-2010 and 2011 workshop roll-out[1035], perceptions that were held by high end actors in the network noticeably impacted on the interaction taking place between various network actors[1036] and, as a result, on the coordination of the network itself. Based on the perceptions held by certain actors, decisions were made that influenced actor interaction, the frequency of the interaction and the level of trust that developed as a result of the interaction. This in turn influenced the level of cooperation within networking environment.

In order to ascertain the perceptions held by the various actors, the first step was to identify the key roles and responsibilities assigned to actors in the network. The next step was to determine the actors' perceptions of their roles within the network arrangement. To do this, a study was made of the manner and type of communication and interaction that took place between the actors in the network. An examination of actor interaction highlighted: 1) the frequency of interaction between network actors; 2) the style and tone of communication occurring between actors; and 3) the impact these interactions had on actors and the overall network environment.

Table 6.4 refers to the different actor relationships in the network, identifying the actors' key roles and responsibilities with respect to: the project, and; their institution, organisation or department.

[1035] Learning from the problems encountered in the 2009/2010 rollout, in 2011 the project manager communicated with all stakeholders prior to commencement of training in order to avoid similar blockages during this rollout.

[1036] The quality of their interactions, the impact of the interaction on other actors and on the overall functioning of the network.

Table 6.4: Perceptions of roles and responsibilities of high end actors during the succession planning training (Phase 4)

Network Actors	Relationship with Government – DSD	Unicef Project Relationship	View/Perception of Role	Actual Outcome/Evidenced Through Meeting Documents or Email
UNICEF	UN Development Assistance Framework (UNDAF) a blueprint partnership agreement with Government of South Africa.	In partnership: i) with DSD (relevant government department for OVC & child protection) to provide technical support; ii) with NACCA steering committee; iii) in terms of a cooperative agreement with the service provider; iv) Civil Society (CSO) and non-profit partners.	Responsible for: i) the provision of technical assistance strengthening government & civil society capacities to implement and monitor quality services for OVC; ii) the development of capacities by establishing community-based support structures to support OVC in accessing services within the framework of the National Action Plan for Orphans and Children Made Vulnerable by HIV and AIDS (NAP).	i) Set down in Terms of Reference between Service Provider and UNICEF. ii) UNICEF introduces and oversees process — uses interactive approach. *'I hope that this clears up the criterial for selection...And I will be sure to include this in the Concept Note to share with all.'* iii) Assists with management of relationships in network and between actors. '*We can take some time at the meeting next week to confirm exact requirements on our side, but I have laid it out in our Note for Record. I hope this meets with your internal requirements?'.* iv) Final response to report on project to NACCA. v) Financial support in collaboration with DSD. '
DSD	DSD has primary mandate to facilitate human development, improve quality of life aimed at reduction of poverty & vulnerability. DSD has a duty to provide[1037]: i) comprehensive social-security systems; ii) developmental social-welfare services; iii) community development services.	i) DSD in bilateral partnership with UNICEF: ii) to ensure all UNICEF programmes are coordinated through relevant government department — in the case of OVC this is DSD, and; iii) to work in alignment with Government priorities. iv) Obligation to deliver on NAP 2009-2012 Strategic Goal 1, Strategic Objective 1.4. (Succession planning project)	i) Lead body that ensures NAP for OVC are delivered on in terms of the policy framework; ii) aimed at the capacitation of Social Workers, CYCW and relevant resources persons, through provincial, district and NPO's on the ground; iii) reports to relevant National Department head; iv) reports to the NACCA coordinating body.	i) National coordinators are responsible for oversight for DSD — two coordinators at National shared provincial responsibility between them in order to: a) ensure communication with network actors & provincial coordinators; b) coordinate DSD actors; c) address conflict resolution, and; d) be part of reference team. ii) Provincial coordinators are: responsible for selection of participants and identification of appropriate venues'[1038]. '*Please forward me the three districts where the training is going to be conducted to fast track clarification of the venue';* iii) selection of participants based on appropriate service providers in their area. '*…as resource persons, the trainees should be properly allocated within an organisation so as to provide insight and to share learnerships'.*

Table 6.4: Continued on p. 237

[1037] Department of Social Development (DSD). 2010. Strategic Plan 2010-2015: Building A Caring Society Together, page 13.

[1038] Email from UNICEF to Service provider and ref team dated 16th November 2009.

Network Actors	Relationship with Government – DSD	Unicef Project Relationship	View/Perception of Role	Actual Outcome/Evidenced Through Meeting Documents or Email
NACCA	i) Multi-sectoral structure with government depts., CSOs, development agencies & donor organisations; ii) Coordinating body established post 2002 conference	i) UNICEF & DSD representation in NACCA steering committee; ii) reports sent to NACCA specific task team re: programme deliverables.	i) coordination of variety of organisations ensuring successful implementation of policy and strategies aimed at OVC; ii) is responsible for ensuring development & delivery of NAP for OVC 2009-2012.	NACCA acts as primary body responsible for bringing partners together and ensuring implementation of NAP 2009-2012 for this project. Represented in the project reference team.
National Organisation	Responsibility to: i) work in partnership with high end network actors NACCA/DSD; UNICEF and in partnership with Street Law (Wits) to provide technical support to deliver on Objective 1.4 of NAP 2009–2012; ii) deliver activities identified in agreement, primarily to train and capacitate service providers affiliated with DSD & UNICEF, in succession planning; iii) report back to NACCA and UNICEF.	i) In terms of a cooperative agreement signed with UNICEF; ii) two primary actors are identified as responsible to deliver on project TOR: a) National Organisation (NO) and; b) Street Law (Wits)	i) Traditional hierarchical management — power over; ii) CEO/Director seen as 'the boss' or the 'head' in charge of organisation & also in charge of other actors in the network; iii) National Organisation views self as holding position of authority, thus single-handedly responsible for delivering on project objectives. NO assigned project management role to self in spite of agreement. DSD and NACCA not viewed as equal actors in the project; iv) also Street Law (Wits) and project manager viewed as not equal actor, National Organisation assumed authority over another organisation — without mandate; v) Sees relationship with UNICEF in terms of contract, as agent and principle not as another actor in the network; vi) Agreement with UNICEF is viewed as another source of project 'funding' — business as usual.(no clear distinction made between Grant; Contract and Cooperative Agreement)	i) & ii) Email reflects authoritarian management style, 'you cannot delegate…'; 'you will apologise unreservedly'; 'Follow what I have stipulated…'; 'I will proceed with an investigation…'; 'you will refrain'; 'I will recommend steps being taken against anyone… iii) Uses command and sanction as strategy, 'Failing to do so I will have to report to your head'. [Response from UNICEF to above mail: 'Provincial Coordinators should really be approached & communicated with, with some sensitivity'.] iv) Sees structure as top-down over other actors in network, 'I regard you as one of the staff as you are the project manager …' v) Signed a project cooperation agreement which NO refers to as, 'The contract provides that…', and; vi)'…secured UNICEF funding…' [email during period November 2009–February 2010]
Street Law Wits Office	i) Provide Technical support to deliver on NAP 2006–2008 & NAP 2009–2012; ii) historical relationship with DSD from 2007/8 succession planning project and children's act project; iii) historical relationship with NACCA during 2007/8 succession planning project; iv) worked with and trained DSD provincial coordinators under the pilot project.	i) Technical consultant for succession planning pilot project in terms of objective to collaborate with high-end actors DSD, NACCA & UNICEF and lower end service providers; ii) long term working relationship with UNICEF since 2006; iii) cooperative agreement between National Organisation with Street Law (Wits) coordinator acting in position of project manager.	Project manager: - An equal actor in the network; - Affiliated, interdependent, a partner with but not a member of the National Organisation. - responsible for: i) management of project on part of service provider in collaboration with network partners — DSD, NACCA, UNICEF; ii) development of training materials, pamphlets and posters; iii) training of facilitators; iv) oversee overall project in providing technical assistance based on relationships built over prior three year period with UNICEF, DSD, NACCA and project itself; v) conflict management in collaboration with reference team & UNICEF.	i) Email adopts interactive approach and shares information, '…want to tell you I am meeting with Nicky from UNICEF …to talk about some issues that have occurred over this last week'. ii) 'This is not a formal meeting it is to do some creative problem solving'. iii) '… what we did is talk about working with DSD and what we should do to avoid conflict with DSD…' iv) '…thank you for speaking with me this morning. From our conversation I have noted the following points…I hope this note covers what was discussed this morning'. v) 'Please cc me and keep me in the loop'. [email during period November 2009–March 2010]

For example Table 6.4 indicates that DSD has a responsibility to deliver on its obligations with respect to the succession planning project as it was the lead department responsible for ensuring the delivery of Objective 1.4 as set down in the NAP 2009-2012. UNICEF's responsibility was to provide the necessary technical support needed to develop the capacity of the relevant government department, as set down in the country agreement with the South African government. In this way UNICEF assisted DSD in delivering on its NAP objectives. The service provider, consisting of the National Organisation in partnership with Street Law (Wits), had an obligation, in terms of the cooperative agreement with UNICEF, to provide the necessary technical support to DSD which was to capacitate key resource people in the field and fulfil DSD's primary responsibilities (in terms of the NAP).

Thus, each actor was responsible for specific roles, or providing certain resources, in order to achieve the core objective. In this respect, UNICEF acted as the conduit or catalyst enabling certain processes to take place[1039]. In the project, UNICEF initially raised the funds that provided the support needed, by DSD and NACCA, to deliver on policy objectives which called for a more cooperative process. The organisations making up the network structure at the high and lower end, also introduced resources into the network such as: their connections to a variety of NGO, state institutions and community organisations; their knowledge and technical expertise; finances, and; the authority and legitimacy of government, as a result, 'no one organisation had the sole responsibility for the policy outcome'[1040]. Thus, determining the actors' roles and duties was fundamental to the success of the network during project implementation.

At national level, DSD coordinators, who were part of the reference team, were tasked with coordinating and overseeing the roll-out on the part of DSD, and with ensuring that provincial coordinators were introduced to the project and its objectives. In turn, DSD provincial coordinators were tasked with a number of duties ranging from: 1) identifying and inviting participants (resource persons) to the training; 2) determining dates for training in 3 districts in their specific region; 3) sourcing training venues[1041]; and 4) timeously providing national coordinators[1042] with information so the information could be passed on to the project manager, the National Organisation and UNICEF.

[1039] Loening-Voysey, H., interview July 2012.

[1040] Badran see note 998.

[1041] At the start of the project the National Office Administrator arbitrarily selected a training venue, mostly inaccessible to the participants travelling from areas outside of the CBD, without consulting with the DSD WC coordinator.

[1042] There were two National DSD coordinators provinces were divided up and responsibility over certain provinces was allocated to the National coordinators.

The National Organisation was primarily responsible for the financial administration of the project. Street Law (Wits) and the National Organisation also shared the administrative and logistical side of the project. Both offices worked together when organising venues, collaborating with DSD provincial coordinators, when finalising bookings, and in accurately gathering detailed information on placements and final dates[1043]. Overall therefore, the National Organisation's responsibilities were: 1) to book and pay for venues and catering; 2) to organise and pay for facilitator accommodation and travel; 3) to pay facilitators — re the cooperative agreement; 4) to follow up and confirm venue bookings with DSD coordinators; 5) to ensure that once dates, venue bookings and travel bookings were finalized, accurate information was communicated to the Street Law (Wits) project manager, Colgan, and to the CEO of the National Organisation; and 6) to liaise and work collaboratively with the Street Law (Wits) office.

The National Organisation's tasks were dependent on other network actors carrying out their duties in the allocated time and in good faith. Suffice to say, the National Organisation and Street Law (Wits) office administrators' responsibilities did not extend to and include: 1) communicating directly with DSD provincial coordinators regarding their roles and responsibilities; 2) selecting venues without the prior authorisation of DSD provincial coordinators; 3) selecting facilitators for training without the authority to do so; and 4) project managing or steering the network outside of the existing structure.

UNICEF's role, in addition to being the catalyst for the project and providing financial support, was to offer support to the various network actors to ensure the successful implementation of the training workshops, very much along the lines of a network facilitator. These duties of the UNICEF representative, although not clearly delineated from the start, gradually evolved as the project developed and certain challenges emerged. UNICEF was appropriately positioned as a central and direct link between DSD/NACCA, the project manager, Colgan, Street Law (Wits) and the National Organisation. Where key actors failed, or omitted, to communicate directly with the project manager and task team members, particularly with respect to passing on important project information or when actor interaction was under threat, the UNICEF representative ensured primarily that the project manager was 'kept in the loop', where possible[1044]. Obviously, if neither the project manager nor the UNICEF representative

[1043] This worked well when the two organisations collaborated and worked together as a team. Problems only occurred when organisational or institutional issues or ego appeared inexplicably from time to time.

[1044] The phrase 'keeping you in the loop' was commonly used by the UNICEF representative when communicating with the project manager. UNICEF had become aware of the ongoing failure by the National Office to provide updated logistical information to the project manager. Their concern was that this omission impacted on the project manager's responsibilities toward the

were provided with updated, accurate information, then the other network actors remained uninformed or were similarly not able to be 'kept in the loop'[1045].

The process of keeping network members adequately informed only began to show any form of functionality late into workshop roll-out (March/April 2010 and for 2011 roll-out) and only after a series of network breakdowns had occurred. With respect to project management, the project manager was initially viewed as well positioned to represent the interests of both Street Law (Wits) and the National Organisation; she had the necessary historical relationship with the project and high end network actors — UNICEF and DSD. The expectation of the project manager and UNICEF, prior to commencement of both the 2009/10 and 2011 roll-out, was that the project manager, Colgan, would facilitate the collaboration between and across all network actors but more specifically between UNICEF, DSD, the National Organisation and the task team.

Based on her previous experience during Phases 1 to 3 there was a belief that her knowledge of the project would assist the National Organisation, new to working within a cooperative, networking environment, to adjust to the process. Colgan saw her role as providing a conduit for passing on logistical and other relevant information to both high end and lower end actors[1046]. She also believed it was her responsibility to assist, in collaboration with UNICEF (and the task team), when network breakdowns and problems inevitably occurred. Over and above these basic management duties, Colgan was also responsible for training and allocating facilitators to workshops.

However, soon after commencement of the project, it became apparent that the project manager's role was simply in title only[1047]. This could be due to the fact that no joint planning strategy was utilised and that the initial planning meeting went ahead in spite of the absence of relevant stakeholders, such as the project manager. This meant that various actors involved in the network were not provided with an opportunity to meet each other and could not jointly debate on the way in which interorganisational activities may be facilitated. In addition the National Organisation, in spite of an existing

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reference team members and the project itself.

[1045] Email communication from UNICEF representative.

[1046] At times, during roll out, the process was interrupted and there would be a duplication or confusion of roles. For instance, in December 2009, an email outline of proposed dates was sent by the project manager to the reference team. Administrators from the National Organisation and Street Law (Wits) had provided the initial information. The National Organisation CEO interfered with the mail and forwarded it to the three administrators, stating, 'I note that this was not copied to the three of you'..

[1047] Due to an agreement, the National Organisation was obligated to include the project manager (Colgan) in both the 2009/10 and 2011 roll outs. The 2009/10 cooperative agreement included both the CEO (National Organisation) and Colgan (Street Law (Wits)) as service providers responsible for the project. In 2011, Colgan retained her position, even though the National Organisation omitted her name from the 2011 agreement with UNICEF.

agreement, elected to adopt the duties of project management for itself[1048], relegating Colgan to the role of lead facilitator.

The decision by the National Organisation, to adopt the project management role, can be attributed to a perception held that it was being funded by UNICEF to deliver 27 training workshops throughout South Africa[1049]. As a result, it saw itself as the principle organisation '*in charge of the project*' where all actors within the project — including the project manager and DSD coordinators — fell under the authority of the National Organisation. This perceived position of authority over the project, and thus the network, resulted in the National Organisation adopting its own institutional management style, which was top down and supervisory in nature. The adoption of a hierarchical approach, within a typically horizontal structure, introduced additional uncertainties into an already complex networking process and noticeably interfered with actor interaction, relationship building and coordination from within the network.

The following section is an overview of the influence these various perceptions had on the ability of certain actors to perform within the network structure and how this ultimately impacted on the functioning of the network and the project itself.

6.7.5 Managing the network mix

In a network arrangement, actors are mutually dependent, needing each other's cooperation in order to realise their goals[1050]. Therefore, managing a network calls for 'coordinating strategies' for a variety of actors with differing perspectives about the project or policy objectives[1051]. It also calls for a high degree of deliberation and discussion so that processes are understood and shared in a transparent and open forum. In such a context the classical management style of centralised control with an individual or few individuals at the top having a 'disproportionate influence over the group's processes, decisions, and ...outcomes'[1052] is an anathema in a network structure[1053].

[1048] This may also be due to the fact that the National Organisation had no previous experience of working within a network structure and thus failed to see the relevance of a project manager and the NACCA reference team.

[1049] What was never clearly established was whether the National Organisation viewed the monies received as a grant. Historically, the National Organisation functioned with grant funding for close on two decades. This would then explain the position adopted by the National Organisation during roll out, where it was singularly focused on 'project deliverables' with little to no attention being paid to collaboration and relationship building.

[1050] Klijn & Koppenman see note 1001 at 29.

[1051] Kickert, Klijn & Koppenjan see note 972 at 11.

[1052] Anderson, C. & Brown, C. 2010. 'The functions and dysfunctions of hierarchy'. *Research in Organisational Behaviour*, doi:10.1016/j.riob.2010.08.002

[1053] Although this does not exclude utilizing the shadow of hierarchy in certain instances: See Börzel, T. 2011. 'Networks: reified

The decision to work within a network structure is based on the fact that, faced with complex or 'wicked problems', innovative solutions are called for where the resources of a variety of actors are needed and no one actor has the capacity or resources to address the issue alone. This is not to say that hierarchies are unnecessary or unimportant, it is to simply point out that in a networking arrangement hierarchies struggle to function effectively and are often more effective when faced with less complex issues and a simpler structural arrangement:

> '(M)ore hierarchical groups tended to perform better on simple tasks that did not require the aggregation of group members' opinions … However, flatter groups tended to perform better on more complex, more ambiguous tasks that benefitted from the input of many members and that often required creativity…'[1054].

The succession planning project called for a cooperative, inclusive approach in order to maintain and coordinate actor interaction, and for the important exchange of relevant and updated information. The hierarchical approach adopted by the National Organisation, in the management and control of both the project and network actors, negatively impacted on the cooperation that was envisaged by DSD and UNICEF[1055].

Nonetheless checks and balances can be used to constrain the excessive or inappropriate use of power by one of the actors within such a network structure[1056]. However in spite of the fact that the high end actors, UNICEF and DSD, both held the power and mandate over the project, they failed to: 1) acknowledge the seriousness of the evolving situation; 2) recognize their own position of authority within the network structure; and 3) devise necessary strategies to use their power appropriately.

The decision to proceed without addressing emerging problems, and ignoring the negative influence of the steeply authoritarian approach adopted by the National Organisation, was a troubling oversight on the part of actors such as UNICEF and DSD. The literature[1057] highlights numerous strategies available to network managers when confronted with similar challenges to those encountered in this project. Thus, in spite of the missed opportunity for a joint planning session prior to training roll-out, several other occasions arose — when there was a blurring and duplication of roles — where the

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metaphor or governance Panacea?' *Public Administration,* 89 (1).

[1054] Anderson & Brown see note 1052 at 14.

[1055] 'The steeper the hierarchy, the more influence the autocratic leader will have, and thus the wider his or her negative impact will be on the group': See Anderson & Brown see note 1052 at 21.

[1056] A discussion on power falls outside the ambit of this study as the power exerted by the National Organisation was not real and could be shut down at any time if DSD or UNICEF chose to intervene.

[1057] O'Toole see note 961 at 145-150; Klijn & Koppenjan see note 1001.

reference team[1058], in collaboration with the project manager, should have come together to address issues around role clarification, actor responsibilities and accountability of actors to the network — notwithstanding their institutional accountability.

Additionally the misperceptions held by actors were never formally acknowledged nor addressed and actor roles and responsibilities were never fully clarified at any point during the 2009–2011 project roll-out. This meant that that the perceptions held at the start of the project, and their influence on actor behaviour within the network, continued unchecked throughout project roll-out. The perceptions held had a direct and indirect impact on the ability of other actors to function within the network, as highlighted in the following section. In this instance the actors who were directly affected by the National Organisation's top-down management approach were the project manager, Colgan, and the DSD provincial coordinators. Other actors indirectly affected were the reference team, Street Law (Wits) and the lead facilitators affiliated to Street Law (Wits).

6.7.5.1 The role of the project manager in the succession planning project

Project management is, 'the application of knowledge, skills, tools, and techniques to project activities to meet the project requirements'[1059]. Within a network management is viewed as steering, guiding, facilitating the network process taking into consideration the multiple accountancies of the network mix[1060]. In a network structure the array of stakeholders, variety of resources and dispersed accountability calls on a network manager to move away from the hierarchical to the horizontal and to focus on the value of enhanced coordination[1061].

Thus the National Organisation's adoption of a conventional approach to managing the project impacted not only on the ability of Colgan to project manage but also placed the functioning of the network under constant threat. In adopting a more authoritarian stance, when interacting with other actors, the National Organisation failed to perceive the value of using existing resources — in the form of support, experience and skills — of other network actors. In its effort to retain complete authority over the project opportunities for enhanced network coordination, from within the network structure,

[1058] Made up of UNICEF and DSD representatives.

[1059] Project Management Institute, Inc. 2008 *A Guide to the Project Management Body of Knowledge (PMBOK Guide)*, (4th ed.) page 6.

[1060] Rhodes, R. 2006. 'Policy Network Analysis'. In: M. Moran, M. Rein & R. Goodin (eds.), *The Oxford Handbook of Public Policy*, page 425.

[1061] Rhodes see note 1060.

were lost. In turn, the impact of adopting such a centralised position, from outside the existing network, negatively ricocheted back onto the National Organisation.

In choosing to exert more control over the project and thus take on many of the duties allocated to other more appropriately placed or qualified actors, the National Organisation elected to almost double its workload. The motto 'no one actor can do it alone' revealed its meaning during the pressure of project roll-out when the National Organisation found, to its detriment, that its decision to centralise control meant an increase in its own project responsibilities, which increased the burden on its already overstretched staff[1062]. As a result of the increased pressure being placed on the National Organisation to deliver, there were times when it was stretched beyond its capacity and the inevitable cracks began to emerge in the form of planning and logistical failures which resulted in finger pointing, blaming and conflict between the National Organisation and other network actors[1063].

It has been argued that, to some extent, the situation could have been alleviated through the use of a mutual or joint planning process. If such a strategy was seen as unnecessary or too time consuming, O'Toole has mentioned other strategies where actors 'will need to look for acceptable compromises, convince participants to alter perspectives and invoke the shadow of governmental intervention'[1064]. Nonetheless, the inadequate focus given to the function and role of other actors within the network, introduced a degree of uncertainty that plagued the project throughout[1065]. The failure to ensure that all network actors clearly understood roles and responsibilities, with respect to the division of labour of the individual members, caused a serious blurring of actor boundaries. This blurring led to role duplication which in turn led to a high degree of confusion and chaos which resulted in increased frustration and ultimately conflict.

The role of project management was one such role where the failure to clearly distinguish between the duties of the project manager, the administrator of the National Organisation and its CEO, resulted in role blurring, confusion and an ongoing tension. In mid-November, soon after project commencement, a training weekend was arranged for all lead facilitators. During this period Colgan had anticipated that some time would

[1062] When the National Organisation was juggling close on four training workshops per week in a variety of provinces with a complex mix of logistical and financial planning arrangements.

[1063] Much of the blaming appeared to, initially, originate from the office of the National Organisation, an indication that the staff were already over stretched and as a result over stressed.

[1064] O'Toole see note 961 at 150.

[1065] In 2011 rollout proceeded with less conflict and interference from National Organisation. The project manager was able to sort planning and communication links well in advance and relationships were in place by the time the administrators came on board, all that was left was to confirm bookings and sort out the logistics.

be set aside for a mini strategic planning meeting between herself, the CEO and the National Organisation's administrator. Such a meeting was needed in order to iron out details relating to the sharing of labour and relevant information, and to also set up clear lines of communication between the various parties.

It came as a surprise when no-one, from the National Organisation, showed any interest in meeting during the three day training retreat. Instead, on the final day of the retreat, the CEO[1066] sent out a general email to facilitators, administrators and the project manager outlining project details, broadly describing the actor roles, as follows:

> '4. The administrative staff that can attend to any queries are X. the National administrator and finance officer, the administrative assistant to X (National Administrator) and Chomse (assistant in the Wits Street Law office); 5. Colgan is the project manager[1067]. 15. The National Administrator will attend to the bookings of venues for each workshop. I suggest that if you have logistical queries to contact her first who should be able to answer you or tell you if you have to contact Chomse … If anything is unclear please do not hesitate to contact me. I will assist with contract and payment queries. For all project related queries please contact Colgan who is the project manager'[1068].

The avoidance regarding clarification of the project manager's role, as indicated in the email communication above, persisted for most of the 2009-2010 project roll-out (Table 6.5). This was in spite of the fact that Colgan repeatedly called for attention to be given to such an omission, even, at times, asking UNICEF to assist in this endeavour[1069].

Although UNICEF were quite willing to help, and had assisted in developing a concept document, most requests for clarity from the National Organisation were brushed aside, until after problems emerged. The common response to receiving a request for clarification was to deflect the question by referring to duties such as allocation of facilitators to workshops or couching the reply in vague terms such as:

> *'[Y]ou are the project manager and **things** have to be discussed with you'.*
>
> *'Colgan will attend to the **day to day** project management **issues'**[1070].*

[1066] Sans a consultative process with the project manager despite being available during the three day retreat.

[1067] This was repeated regularly in emails from the National Organisation CEO to the project manager and to the administrators, unfortunately the statement lacked detail on what 'you are the project manager' entailed.

[1068] Email communication from CEO of National Organisation dated 15 November 2009. Names of certain persons not included.

[1069] Meetings were held with UNICEF where a concept document was developed clarifying roles and lines of communication, the document was circulated amongst the actors but the National Organisation appeared to ignore it.

[1070] Email communication from CEO responding to queries from project manager regarding role clarification. There terms were most often used earlier in the project. Later in the project, the project manager's roles became more specific and were increased exponentially as the administrators struggled with the extra management and administrative tasks. November 2009.

Table 6.5: Clarification and duplication of project manager role in the succession planning project

Date	Email sent and received
17th Nov	Let us speak today or tomorrow. When we met ...I had some concerns. ..I have a trainer… no materials, no participants…Liaise with me about this project please. We are now trying to contact you …[From Colgan to National Organisation.]
19th Nov	I have some questions that I want to clarify …Is my role as **project manager a superficial role** or should I not be dealing with management issues? Is it within the Administrators power to write a letter to a DSD coordinator … without checking with me first? …**I am concerned X is project managing …** [From Colgan to National Organisation CEO]
20th Nov	'**You are the project manager** and **things** have to be discussed with you. It was agreed at the meeting…Chomse etc will be administrative contacts…eg dates, venues, liaising with provincial coordinators… **you have to manage Chomse and (the National administrator) re this project…** [From CEO to Colgan]
15th Dec	'…please note that you have to always include Colgan in all succession planning related emails. **She is the project manager**. [From CEO to National Organisation administrators].
27th Jan	… to help avoid any further confusion I am asking … please … **liaise with me and Chomse and not phone the coordinators with different messages.** We need to talk the same talk and we have not been doing that. They have told me they are getting mixed messages from everyone. [Email from Colgan to National Organisation administrators].
27th Jan	I allocated trainers for … and spoke with them the other day. They say they have not heard from you … Why is E working in the Z Province? And why was I not told …? …**I cannot project manage if I am kept in the dark. [**Email from Colgan to National Organisation administrator].
27th Jan	I am also confused about the process you are suggesting in the last email… **I do not think you can make such project management decisions on your own. There is a reference team who makes these decisions**. [Email from Colgan to National Organisation administrator].

The situation, regarding clarification of the project manager's responsibilities, notably changed when the National Organisation realized the enormity of the task it had absorbed in its efforts to centralise control. In order to compensate for their oversight and deal with a situation that was rapidly showing signs of unravelling — with internal and external conflict emerging — the National Organisation introduced a series of changes[1071]. These changes were primarily aimed at increasing the responsibilities of the project manager, Colgan[1072] and decreasing the administrators' involvement in certain procedural processes. Unfortunately such changes were imposed in an arbitrary and authoritarian manner, where the actors, who would be directly affected, were neither consulted nor considered. Nor was there any acknowledgement, or recognition taken, of the existing network structure, the procedures and the reference team who were ultimately empowered to decide on issues involving network processes.

A further matter for concern was the belief held, by the National Organisation, that it had a certain degree of power, or authority, over other actors in the network, in spite of the fact that these actors were not under the employ of the National Organisation[1073].

[1071] In a week the Director/CEO of the National Organisation issued several, often contradictory, email instructions determining administrative/managerial responsibilities, including processes of accountability. Unfortunately this was done in a top-down fashion, was not well-considered and fell outside the network structure, further adding to the complexity and confusion.

[1072] The duties of project manager shifted from playing lip service to the role of project manager, with no clear responsibilities, to being entirely responsible for a range of activities and additionally being ordered to carry out such tasks 'personally' and to not delegate these tasks to Street Law (Wits) assistant who was specifically hired to assist with these duties.

[1073] The staff at Street Law (Wits) expressed surprise and annoyance when the CEO of the National Organisation referred to them as 'her staff'. This term was also used by the CEO in reference to Colgan who was the project manager. This was an extraordinary perception as the Street Law (Wits) staff were employees of Wits University. A cooperative agreement existed between the National Organisation, Street Law (Wits) and UNICEF (UNICEF was in turn capacitating NACCA and DSD).

This misconception of authority caused the National Organisation to adopt a way of interacting with other network actors that eschewed the notion of relationship building, electing to focus on command and sanction in order to 'motivate' actors. This therefore prompted unnecessary negative responses where many actors felt vulnerable and perceived themselves as being attacked and undermined by the National Organisation. This led to communication break-downs and a high degree of distrust toward the National Organisation. The inappropriate use of its position thus impacted negatively on the function of the activities of actors such as, the Street Law (Wits) office, the project manager [1074] and, most worryingly, on DSD provincial coordinators.

6.7.5.2 DSD provincial coordinators

The literature highlights the value of a networking approach in the public policy arena particularly with respect to the changed social context confronting governments where complex social problems indicate '(t)he production of public policies, the discussion and political processing of a social problem is ... no longer the exclusive matter of an integrated government and administration. This instead takes place in networks that incorporate both public as well as private organisations'[1075]. When speaking of government as a network actor the literature describes the unique position held by a government actor who has the power to invoke, where necessary, the 'shadow of hierarchy'. De Bruijn and Ringling state that admittedly, 'certain public organisations have a special status and are then subject to special norms. However, a public actor can also function as an ordinary actor — from a normative point of view...'[1076].

Nevertheless, in the succession planning project, DSD was the government body tasked with fulfilling the OVC NAP[1077] under the auspices of NACCA with the technical support of UNICEF. This meant government, through DSD, was ultimately responsible for ensuring project objectives were met. This meant that the approach adopted by the National Organisation, when interacting with other network actors was somewhat problematic, 'even embarrassing'[1078], at a number of levels. Unfortunately at no point during roll-out did government use its power, it chose instead to call on both UNICEF and the project manager to urgently attend to problems and to inform the National

[1074] Who was also regional coordinator of Street Law (Wits), an autonomous project based at Wits University.

[1075] Reinicke, W. 1999. 'The Other World Wide Web: Global Public Policy Networks'. *Foreign Affairs,* page 44-57.

[1076] De Bruin, J. & Ringeling, A. 1997. 'Normative Notes: Perspectives on Networks'. In: W. Kickert, H. Klijn & J. Koppenjan, *Managing Complex Networks*: *Strategies for the Public Sector*, page 154.

[1077] Department of Social Development (DSD). 2009. *The National Action Plan for Orphans and Other Children Made Vulnerable by HIV and AIDS South Africa*, 2009–2012.

[1078] Chomse interview, Street Law Administrative assistant. June 2011.

Organisation that, 'provincial coordinators should… be approached and communicated with, with some sensitivity'[1079].

The perception of authority, held by the National Organisation, resulted in an inexplicable situation developing between DSD and the National Organisation. Initially, the few minor incidents that took place between the two actors[1080], were viewed as mere 'teething problems', part of settling in for the new service provider. In reality, these early indicators should have alerted high end actors, such as UNICEF, to the fact that the National Organisation was operating under a misconception, both with respect to its position within the network and the position that was held by government.

On the part of the National DSD coordinators, processes were initiated during the first week of November. The National coordinators contacted their provincial offices and informed them about the start of training workshops. Provincial coordinators were also informed of their responsibility to the project, this meant they needed to select suitable training dates, venues and also send invitations to delegates. Once these tasks were completed, DSD National[1081] needed to be informed of the details.

Nonetheless, because of an inadequate planning process the project constantly battled with unclear procedures and managerial challenges. This meant that once information, such as confirmation of dates and training venues, was sent to the National DSD coordinators, the coordinators were unsure of who was responsible for collating and disseminating the information to other network actors[1082]. What subsequently took place was that portions of information, received from the provincial coordinators, were shared with all members of the reference team, including Colgan, whereas other information was sent directly, and only, to the National Organisation. In response the National Organisation directly communicated with DSD provincial coordinators yet omitted to share any of the updated information with Colgan, who was the project manager. Colgan, as a result, was unable to disseminate information to other actors in the network, particularly the reference team — including UNICEF and DSD representatives.

This meant that the National Organisation bypassed, and thus excluded, key network actors from receiving important information on developments taking place within the project. In addition the decision to proceed outside of the network structure meant that

[1079] Email communication between UNICEF and project manager dated 24 November 2009.

[1080] Both National and Provincial coordinators.

[1081] Email communication between DSD national and provincial coordinators on 27th October 2009.

[1082] This should have been the task of the project manager working in close collaboration with the National Organisation, the UNICEF representative and reference team. Initially the National Organisation appeared reluctant to share this information.

the checks and balances within the network were ignored, resulting in communications that were often inappropriate to the point of being extremely rude and offensive.

During the piloting of the training (Phase 3) invitations for DSD coordinators were checked by the reference team prior to distribution, thus ensuring the tone used and information provided was appropriate[1083]. In the roll-out of training the original iterative process, adopted by the reference team, was openly ignored and unfortunately this oversight resulted in a number of communication glitches which were the catalyst for conflict amongst certain key actors in the network.

Two incidents specifically mentioned in this section were selected because of the impact they had on actor interaction, particularly with respect to the DSD coordinators involved in the project. The two incidents highlight the value of interorganisational activity in managing networks, showing that by adopting a top-down approach there will be an impact on cooperation which ultimately impacts on management productivity[1084].

Having said this if it were not for the persistence and drive of the high-end network actors, who were able to put aside their differences for the good of the common goal, this project may well have ended in disarray. This indicates a resilience and determination on the part of various actors in working toward a common objective: unfortunately too much time, energy and personal harm was expended during this phase. So much so that by completion of the project in 2011, a number of key actors within the network were left with a high degree of distrust for the National Organisation, resulting in a total break-down of that relationship (Figure 6.6)[1085].

The two incidents impacted directly on the provincial coordinators in Gauteng and the Western Cape, each on separate occasions, but within two months of each other. Both coordinators had previously worked in the succession planning project, were part of the NACCA forum and one of the coordinators was a member of the reference team during the pilot, was an integral part of the materials development phase and held a position of authority in her provincial office. The first of the two incidents took place in Gauteng, during November, soon after the lead facilitator training. Unfortunately the National Organisation sent an inappropriate email directly to the Gauteng coordinator which neither Colgan nor the reference team were alerted to until after the incident. In the email, the tone adopted by the National Organisation was authoritarian and aggressive,

[1083] This had frustrated many of the actors at the time.

[1084] Kickert, Klijn & Koppenjan see note 972 at 11.

[1085] See Figure 6.6 on page 233.

causing immediate offence. A few days after the email was sent, Colgan was contacted by both UNICEF and DSD, first telephonically and then by an email which stated:

> *'I have just chatted with A the National DSD coordinator…she confirmed the coordinator is most upset. I think it would still be a good idea for you to place a placatory call and smooth things over. I am sure you have already done this… It was great that we met on Friday as I was able to explain that you (the organisation) are aware of the issue and are putting together some operating procedures to prevent this occurring again'*[1086].

Colgan, as project manager, was able to speak with and later meet the Gauteng provincial coordinator and a conciliatory outcome was achieved. The situation was subsequently able to be converted into a positive experience, with the DSD coordinator deciding to actively interact and participate in a West Rand training workshop.

Of the two incidents the incident in the Western Cape was cause for even more concern because it occurred two months after clear procedures were introduced in an effort to avoid repeating the Gauteng experience. The situation was further exacerbated by the fact that the Christmas vacation interrupted roll-out for close on two months. This caused a delay, leaving less than three months to complete 22 workshops[1087].

In, what appeared to be a knee jerk reaction to the enormity of the task that lay ahead, the National Organisation proceeded to organise a number of training workshops, ignoring all previously agreed plans and processes. In addition, founded on an institutional culture that was fundamentally hierarchical, the National Organisation was obviously struggling to adapt to interacting, in an inclusive and transparent manner, with other network actors. Although, towards the end of December, it had begun to work well with Street Law (Wits)[1088], the National Organisation continued to communicate directly with DSD coordinators and continued to work outside of the networking arrangement, choosing to exclude certain actors (the project manager and reference team)[1089].

Prior to the Christmas vacation, the National Organisation had received a number of '*proposed*'[1090] training dates that had been forwarded via the National DSD coordinators. As soon as business recommenced, after the vacation, the National Organisation began organising workshop roll-out and one such training workshop was planned to take place in the West Coast. Based on an email, where 'proposed' training

[1086] Email communication sent to Project Manager, Colgan, from UNICEF coordinator dated November 2009.

[1087] By the end of December 2009 only 5 out of 27 workshops had been completed.

[1088] Out of necessity when it realized that it could not manage the project alone.

[1089] Disregarding an email sent by the CEO on 30th November 2009 detailing the email distribution list.

[1090] Western Cape provincial coordinator sent email on 11/12/2009; 'I **propose** that West Coast training be 27-29 Jan 2010…'.

dates had been provided, the National Organisation proceeded to book, confirm and finalise details for the training workshop. On the day of the training all was in place, including venue, catering and facilitator, unfortunately no participants arrived for the training. What then transpired was an untenable situation where the National Organisation proceeded to blame the provincial coordinator and the provincial coordinator withdraw from the process in anger and disbelief[1091]. Once again Colgan was contacted by DSD and UNICEF, first telephonically and then via an email entitled 'WC Mess' which said:

> *'I earlier saw H (prov coordinator), who stressingly gave me the news that no organisations had been secured for the training which was intended to take place later today. She said she had not been contacted by the National Organisation to confirm arrangements. I have since spoken with all parties…. from what I can piece together, it looks like people assumed that other parties would be doing things that were not communicated to them…it seems that H expected that the National Organisation would be in touch to discuss the venue…I think she was merely waiting for confirmation from the National Organisation… But the National Organisation … moved on and booked the venue based on an original email sent by H suggesting XYZ as the place for the training. The end result is National Organisation secured a venue and it was not confirmed with the provincial coordinator so she assumed it was not taking place. … The situation has obviously resulted in some bad feelings as it appears there was some finger pointing at who is to blame for the confusion. … At this stage…I think we should move forward, acknowledge that it was…a difference of assumed actions and get the training rescheduled as soon as possible'[1092].*

Colgan became involved in this matter only after speaking with UNICEF and both DSD national and provincial coordinators, who provided additional details on what had transpired between the National Organisation and coordinator[1093]. In order to put a check on the evolving situation within the network and based on the perception that, as project manager, she had the authority to do so[1094], Colgan confronted the National Organisation's administrator[1095]. During the confrontation the repeated failure of the National Organisation to adhere to agreed processes was highlighted. In this confrontation both the administrator and her assistant were told to refrain from

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[1091] At the time the coordinator was the assistant director of the HIV/AIDS directorate in the Western Cape.

[1092] Email from UNICEF to project manager dated 25th January 2010 (although received 27th January).

[1093] According to both DSD coordinators the National Organisation was rude and disrespectful. The National DSD coordinator said to the project manager, '...you know this process, you know how we communicate why have you not followed that process?'

[1094] See email communication dated 20th November, Table 6.5, page 245-246.

[1095] As the instigator in the two instances discussed and also relating to several more minor situations.

communicating directly with DSD coordinators so as to avoid any further misunderstandings. The onslaught that then ensued after this confrontation almost led to the withdrawal of Colgan from the project[1096].

What these two incidents highlighted was a failure on the part of the National Organisation to take responsibility for or even reflect upon the part that it had played in the resulting conflict. (It also highlighted the reluctance of DSD and UNICEF to confront such behaviour even though they have the authority to do so). The National Organisation was consistently reluctant to reflect on its own practice and seemed unable to accept that perceptions held may have, in some way, contributed to a breakdown in communication between certain actors. Such a breakdown impacted negatively on actor interaction and the development of trust, ultimately influencing the building of a viable network environment. It has been said that such a reluctance to reflect on one's perceptions often results in the social or cognitive fixations which are the primary cause of blockages in networked interactions[1097].

In this study the examination of various forms of actor interaction revealed a number of factors significant to a networking arrangement ranging from: 1) the influence of the organisational or institutional culture on actors; 2) actor perceptions of the network, their position and that of other actors in the network; and 3) the actor's primary focus or goal — recognizing on one hand the value of networking relationships to achieve a common purpose or being purely goal oriented where relationships are temporary and seen as a means to an end.

In the following section a brief overview is provided showing the different styles of communication adopted by various network actors, this highlights the impact that communication has on the interaction between actors in a network.

6.7.5.3 Network interaction: Building relationships through communication

The succession planning project provided a unique insight into the interaction taking place between the different actors in the network. A variety of actors came together to fulfil objectives in terms of the NAP for OVC. They represented a wide selection of organisations, both public and private. The actors at the high end of the network were, as a whole, professional people primarily from a background in social work, education

[1096] In carrying out her management duties, the project manager was subjected to a personal attack by the National Organisation, alienating her even further from the National Organisation. The incident itself and the seriousness of its impact on the government actors, was never addressed, as the National Organisation shifted its attention to 'disciplining' the project manager, outside of the network structure, thus deflecting focus away from the primary issue.

[1097] Termeer & Koppenjan see note 960 at 97.

and law. A clear distinction could be made between the different groups and their chosen style or type of communication.

As Schaap and van Twist[1098] state, '(a)ctors communicate with each other' and the language used is important because communication is a major part of 'the reality' that reaches us (indirectly) via language in texts. The behaviour of actors in a network gives structure to the network and 'actors interpret the world' — including the network environment — in terms of their frame[1099]. This means, within a network, actors begin to make sense of a network culture, adapting to it by following 'correct' language rules of the network[1100]. By extending this argument and applying it to the project context, the manner of interaction between certain actors highlighted relationships that had grown over a time, reflecting a degree of closedness[1101], and showing developing signs of a 'network culture' amongst them. Additionally the type of communication used during project roll-out revealed the institutional culture of these actors, highlighting a different style of communication adopted by actors who operated outside the network.

In Table 6.6 below, communication originating from UNICEF and DSD to other actors in the network confirms the argument that, over time, actors develop a particular discourse where a specific language form is chosen, carefully, in terms of the shared and understood language of the group[1102].

Table 6.6 : Email communications from DSD and UNICEF during succession planning roll-out

From: DSD and UNICEF	To	Tone/Outcome
I am sorry for the inconvenience I was not in the office last week…	Actor network	Explanatory, apologetic, respectful.
i) Please let me know if you have any concerns; ii) let me know if you have any comments…; iii) Goodness this is crazy. Do we need to double check every message? I guess there are so many parties involved which makes for broken communication. Hopefully we can salvage the situation!; iv) I think we should move forward, acknowledge that it was … a difference of assumed actions.	Colgan	Respectful, acknowledging others needs and valuing other input, inviting comment, non-threatening. Avoids blaming or name-calling.
i) I hope this finds you well… Could you kindly send me the dates…; ii) Thank you for responding to my request…	DSD coordinators	Respectful conversational tone, encouraging interaction, friendly.

On the other hand a steeply hierarchical organisation, like the National Organisation, who chose to operate outside the network, used language that fell outside that of the network culture. This organisation's own institutional culture predetermined its choice of

[1098] Schaap, L. & van Twist, M. 1997. 'The Dynamics of Closedness in Networks'. In: W. Kickert, H. Klijn & J. Koppenjan, *Managing Complex Networks: Strategies for the Public Sector*, page 67.

[1099] Schaap & van Twist see note 1098 at 75.

[1100] Schaap & van Twist at page 75.

[1101] Schaap & van Twist at page 67.

[1102] Schaap & van Twist at page 73.

language and communication style. Thus all members in the organisation adopted and used a similar communication style and tone. Anderson and Brown state that in hierarchical structures the, '(l)ower-ranking individuals became extremely similar to higher ranking individuals, even over the course of a few months. Even when low-ranking members have dissenting opinions or ideas, they are unlikely to express them going against the norm'[1103]. This was clearly reflected in the National Organisation's internal and external communication.

Table 6.7 provides examples of the style and tone commonly used by the National Organisation when interacting with other network actors which often resulted in other actors taking offence. The National Organisation often resorted to using veiled threats against people, introducing unnecessary conflict into these relationships (Table 6.7).

Table 6.7: Communication from the National Organisation during succession planning roll-out

Communication from the National Organisation	To	Tone/outcome
i) May I ask that **you inform** the contact person's in each region that the purpose is to capacitate staff from DSD… and that participants **must only be** added if …; ii**) Please note I require** a list of candidates with contact details prior to the workshop. I need the list on or before … **failing to do so I will have to report to your head.**	DSD	Authoritarian, command and sanction. Unnecessarily aggressive tone to another actor.
i) **Please note** that **you have to always** include…; ii) **They can come to me if they have a problem with you**; iii) **Please adhere** to the following … **pending my assessment**; iv) **Do not discuss** this with the project partners…; v) **I will proceed with an investigation**…; vi) ...get ***the man*** to send a quote.	Internal communication	Similar authoritarian tone used internally; use of veiled threats of sanction; use of legal language to show authority and command; dismissive tone toward outsiders.
i) B is a mere assistant and **must help** with the work; ii) …**you apologise unreservedly to them**.	Project manager, Colgan	Dismissive, undermining, bullying tone.

A clear distinction can be seen between the communication from the National Organisation and that from network actors such as UNICEF and DSD. Much of the misunderstanding and conflict that occurred, particularly in the incidents with DSD coordinators and the project manager, can be linked to the tone of the interaction taking place between the actors in the network. The impact of such a communication break-down lies in the organisation's failure to adjust its frame of reference and fit within the culture of the existing network. Ultimately such behaviour would, in a network arrangement, lead to the exclusion or side-lining of that actor, particularly if the actor is not seen as integral or necessary part of a process. In the long term the network would reframe and move on excluding that particular actor from any future projects of a similar nature, specifically if similar resources can be sourced elsewhere or may no longer be needed.

[1103] Anderson & Brown see note 1052.

6.8 Key factors identified during the qualitative study of training roll-out

The qualitative examination of the network focussed on and raised a number of factors influencing policy implementation in a network structure. It revealed a fundamental need for increased and appropriate interaction between different actors in a network, in order to reduce the inherent uncertainty of the multi-actor arrangement. It highlighted the fact that actors in a network need one another in order to achieve their policy objectives or goals and that no one actor can act alone or unilaterally control other network actors.

In a network, actors need to cooperate in order to mutually achieve their goals this calls for management skills that encourage and guide actor interaction. Such management skills fall outside the classical top-down strategies utilised in a hierarchical system, as managing a network is viewed as 'an interorganisational activity'[1104]. During the training roll-out (Phase 4) it was revealed that the perceptions held and the institutional culture of certain actors, impacted on the ability of these actors to interact with other network actors, ultimately influencing network coordination. This was particularly apparent when pressure to deliver was at its height. Formal plans, rules and processes were overlooked and there was an instinctive return, by these actors, to unilaterally control other network actors. During the pilot and the training roll-out, in an effort to get things done, the actors at the service provider level, often fell back on steering centrally which inevitably resulted in network blockages and an inflexibility, exacerbating, rather than aiding, the existing complexity and uncertainty in the network setting.

This section of the research highlighted the following factors:

1. That strategies best suited to a networking environment must take into consideration the multi-actor arrangement. This calls for a shift away from strategies that utilise authoritarian approaches such as command and sanction in favour of a more facilitative and integrative approach;
2. In situations where network actors act outside the network setting and, as in this case study, ignore the management strategies already in place, lead actors need to consider stepping in and making use of the various strategies highlighted in the literature. It is suggested that various management approaches may be used that go beyond developing mutual perceptions. O'Toole says that when seeking to move networks toward cooperation, attention needs to be paid to strategic contexts and not merely in seeking 'a common rationale to unite disparate actors.

[1104] Kickert, Klijn & Koppenjan see note 972 at 11.

They will need to look for acceptable compromises, convince participants to alter perspectives and invoke the shadow of governmental intervention'[1105].

3. The case study also indicated that in spite of the failure of certain actors to develop relationships, other network actors managed to build relationships. These actors interacted with each other frequently and when breakdowns took place they came together in order to problem solve. Through this interaction, relationships developed and mutual trust emerged. Keast et al. say that in a horizontal setting, 'trust seems to be an important coordination mechanism'[1106]. The relationships of trust that developed between these actors can be seen as the one crucial factor that ultimately resulted in, in spite of the differences, retaining the network structure and completing the shared objectives.

In the following section, the impact of the training programme will be examined using a quantitative approach to the study. Once again the importance of preplanning is emphasised highlighting that an integral part of preplanning would be the identification of primary target areas where the services being offered can be well met. This chapter will then conclude drawing together both strands of the study.

[1105] O'Toole see note 961 at 150.

[1106] Keast, R., Mandell, M., Brown, K. & Woolcock, G. 2004. 'Network structures: working differently and changing expectations', Public Administration Review, 64 (3). page 26.

6.9 Quantitative study of the succession planning project: An introduction

The research approach adopted in the two case studies — the succession planning and children's act projects — was primarily qualitative where the researcher was interested in describing and understanding rather than predicting or hypothesising about human behaviour. In the succession planning project a quantitative dimension was added, utilising surveys to gather data from participating service providers, positioned in communities throughout South Africa, who represented the lower end of the network. Both aspects of the case study were regarded as essential in building a complete picture of implementation within a networking environment, from project planning, to training roll-out and ultimately in evaluating the achievement of the planned project objectives — the capacitation of OVC service providers throughout South Africa.

Therefore the purpose of the quantitative analysis is to answer the second part of the supplementary research question, '(w)hat was the impact of capacitating a network of resource people — as identified in the two case studies — on the target audience and what is the potential for ongoing program development in this area?'

The question seeks to determine the primary and secondary outcomes of the strategies adopted in the succession planning project. The primary outcome questions the success or failure of the project in building a network of strategically placed resource people within the targeted communities (a network of support). The secondary outcome aims at identifying the potential for further programmatic development in the area.

6.9.1 Planning: Establishing objectives and utilising strategies

A key argument made throughout this study on implementation in policy networks is that preplanning is fundamental to the success of a complex project of this nature. Within a network setting planning takes on a different meaning to the classical vision management or strategic planning methodologies. Kickert, Klijn and Koppenjan mention three main planning activities in classical vision management: planning, organising and leading, where management is a top-down activity based on a clear line of authority[1107]. In a network environment this calls for a form of joint problem solving, or joint action, so that coalignment of network action amongst diverse actors is encouraged[1108].

[1107] In order to include GIS mapping into this evaluation a technical consultant was appointed, to help with the technical side of the map creation.

[1108] O'Toole, L., Hanf, K. & Hupe, P. 1997. 'Managing Implementation Processes in Networks'. In: W. Kickert, H. Klijn & J.

In terms of the succession planning project, an integral part of planning was the geographical identification of target areas where the needs of the OVC community were ideally matched through the capacitation of service providers (resources) in the areas where they were most needed — aligning resources with needs. Thus the quantitative analysis aimed to measure the impact of the succession planning project through the capacitation of service providers (delegates) who participated in the training workshops. This is shown through the amount of buy in to the project by the delegates, the enabling of the delegates through the training, and the extent of the training network throughout the district municipalities in each of the provinces. Finally the qualitative analysis provides a measure of the success of the programme and the extent to which further projects of this nature are required.

6.9.2 Study outcome

The pre-training surveys gathered during the roll-out of training — 2009-2010 (roll-out 1) and 2011 (roll-out 2) — of the succession planning training provided the data that are used for the quantitative analysis. The aim of this analysis is to examine the impact of the training on the stakeholders in the areas targeted for training and establish whether the objectives set down in NAP 2009-2012 were met. In terms of NAP 2009 the primary objective was to; '(m)ainstream Succession Planning into intervention programmes for OVC' and the programme activity set to meet this objective was to; '(d)evelop training programmes for NGO's and other service delivery agencies on Succession Planning'. Therefore the successful implementation of this task would be reflected: 1) in the number of NGOs and other service delivery agencies that are subsequently trained in succession planning; and 2) whether those trained were appropriately positioned to capacitate and assist communities where OVC were prevalent.

To do this the survey data gathered was used to create maps which were analysed to determine the geographical impact of the succession planning project on the community and the actors involved. An important aspect of the maps is that they visually show the distribution, number and affiliation of network actors involved at the lower end level of network implementation. Analyses at the visualisation and exploratory levels are used to quantify the implementation of the project and measure its impact in the target communities. They also show the extent of the implementation level network. Moreover,

Koppenjan, 1997. 'Managing Implementation Processes in Networks'. In: W. Kickert, H. Klijn & J. Koppenjan, *Managing Complex Networks, Strategies for the Public Sector,* page 142.

the maps[1109] provide a measure of how successfully OVC problem areas were targeted.

The value of GIS in a study on implementation within a network can be seen through the use of visual techniques. Linquist points out that in an increasingly complex policy environment one way of grappling and understanding the complexity is through the use of visualisation technologies[1110]. GIS is an alternative way of conveying and absorbing complex information that is becoming increasingly relevant in the complexity of the modern network society. Linquist goes on to say that, '(t)here is arguably a growing expectation that governments and public service institutions should be investing in visualisation technologies for analysing issues, advising ministers, and engaging citizens and stakeholders on complex issues'[1111].

6.10 Orphan distribution

In order to examine the effectiveness of the succession planning training on the target audience it is necessary to establish the number of OVC in South Africa. In addition it is necessary to establish the distribution of OVC within provinces and district municipalities throughout South Africa. This forms the basis against which the success or failure of achieving programmatic objects can be measured. Simply put, this approach establishes whether trainees are suitably positioned in communities where OVC are prevalent.

6.10.1 Orphans and the population

In 2010 about 50 million people lived in South Africa with the highest population in Gauteng (23 %) and KwaZulu-Natal (20 %). This was followed, in order of decreasing numbers, by Eastern Cape, Western Cape and Limpopo, ranging from 13 to 11 %, then Mpumalanga, North West and Free State, between 8 and 6 %, and finally the Northern Cape with the smallest number of people making up about 2 % of the population (Figure 6.7).

Based on Children's Institute[1112] and Statistics South Africa data[1113], children make up

[1109] In order to include GIS mapping into this evaluation a technical consultant was appointed, to help with the technical side of the map creation.

[1110] Linquist, E. 2011. *Grappling with Complex Policy Challenges: exploring the potential of visualisation for analysis, advising and engagement*, Discussion Paper, H C Coombs Policy Forum, page 1 of 18.

[1111] Linquist see note 1110.

[1112] Hall, K. and Meintjes, H. 2014. Statistics on children in South Africa, Demography – Orphanhood. Children's Institute. University of Cape Town. http://www.childrencount.ci.org.za/indicator.php?id=1&indicator=4

[1113] Statistics South Africa 2011. Statistical release (Revised), P0301.4, Census 2011 www.statssa.gov.za/publications/P03014/P030142011.pdf

about 37 % of the total population in South Africa (Figure 6.8). The highest percentages are in KwaZulu-Natal and Gauteng, 8.5 % and 6.6 %, respectively, and the lowest in the Northern Cape, under 1 %. Eastern Cape and Limpopo at about 5 % have fairly high percentages of children, the remainder of the provinces, Western Cape, Mpumalanga, North West and Free State have relatively lower percentages of children (in order of

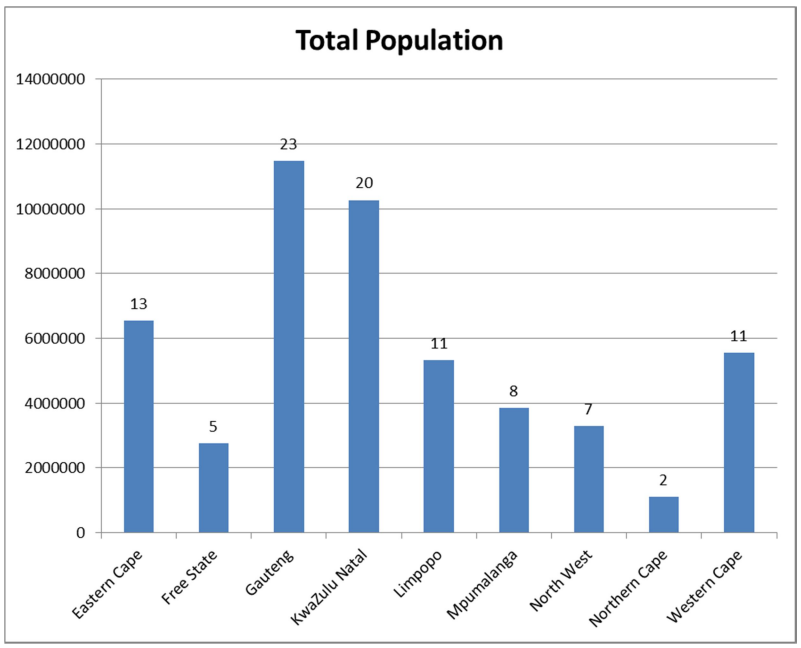
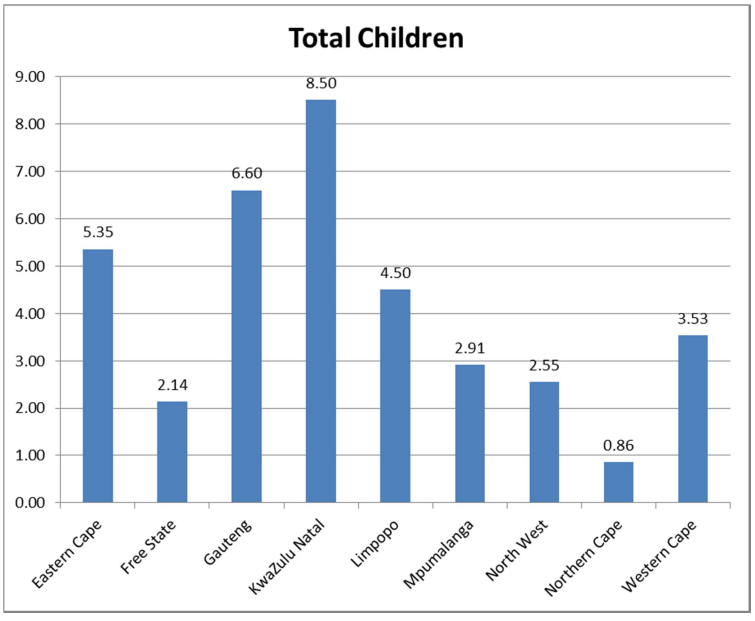


Figure 6.7: Population of South Africa for 2010: An approximation
Numbers above the columns are percentages. Data modified from Statistics South Africa[1114]



Province	Percent children
Eastern Cape	5.35
Free State	2.14
Gauteng	6.60
KwaZulu-Natal	8.50
Limpopo	4.50
Mpumalanga	2.91
North West	2.55
Northern Cape	0.86
Western Cape	3.53
Total Children	36.95

Figure 6.8: Bar graph of the percentage of children in each province based on a total population of 50,136,311 This was calculated to make up the 2010 population (it is an approximation of the average of the 2007 and 2011 census). Modified from Children's Institute[1115]

decreasing abundance). The number of children present in each of the provinces are

[1114] Statistics South Africa, see note 1113.

[1115] Hall & Meintjes see note 1112.

broadly influenced by the underlying dispersal of the population although there are unexpectedly more children present in KwaZulu-Natal than Gauteng. This is clearly shown by comparing Figure 6.7 and Figure 6.8.

Data for OVC are available from the Children's institute and UNICEF[1116]. Although the UNICEF data is on maternal orphans[1117] only it does include both province and district municipal level records while Children's institute data is only available for province scale administration areas.

Data from the Children's Institute are shown as bar graphs in Figure 6.9 and Figure 6.10. The number of orphans (Figure 6.9b) broadly mirrors the total number of children (Figure 6.9a) but there are discrepancies. Gauteng is conspicuous in having a lower number of orphans relative to the total number of children. Similarly the Western Cape has fewer orphans than expected but this is not as marked as in Gauteng.

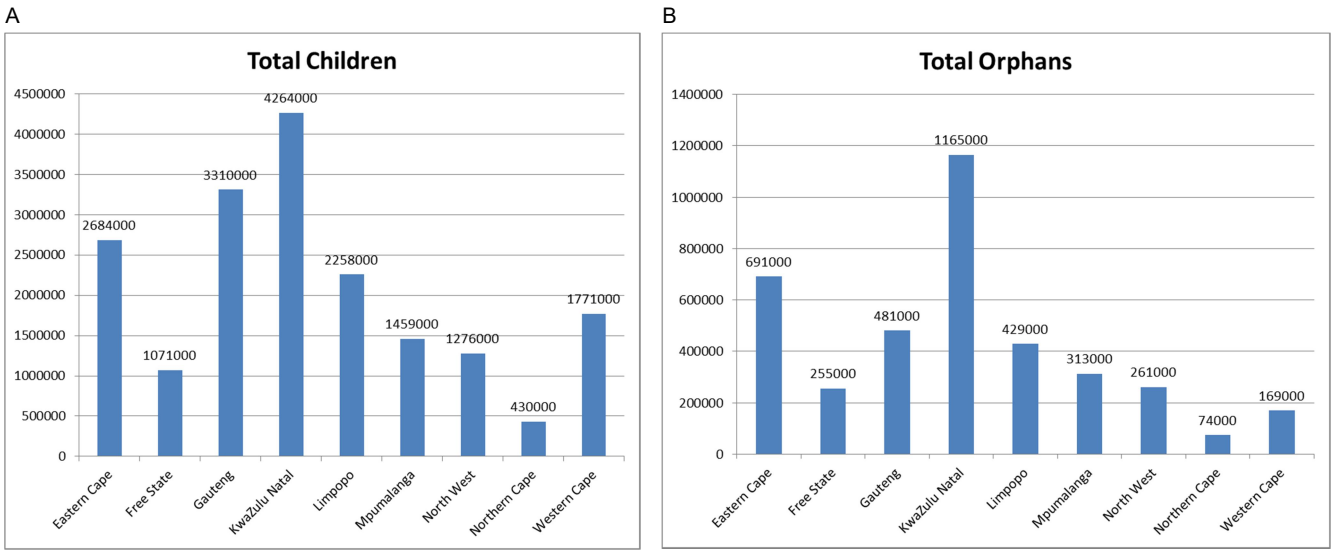


Figure 6.9: Bar charts showing the numbers of children and total orphans per province in South Africa a) total children; and b) total orphans. Data from Children's Institute

A more detailed breakdown into the various orphan types is shown in Figure 6.10a to c and all show the same pattern of frequency distribution as the total orphans. This corroberates the suggestion that the total population controls the frequency of children and orphans but there is an underlying effect controlling the numbers of children and orphans in Gauteng and the Western Cape.

About 2 % of orphans live in child headed households (Figure 6.10d). The pattern of distribution differs from that of the total children and orphans (Figure 6.9 and Figure 6.10) with Limpopo showing predominance of child headed households, followed by the

[1116] UNICEF 2013a. Province and district municipality maps. UNICEF 2013b. Maternal Orphans Annual Report.

[1117] This is because at the time of workshop roll out UNICEF's primary focus was on maternal orphans.

Eastern Cape then KwaZulu-Natal and Mpumalanga. Low numbers are recorded for the North West and Northern Cape and there are either no child headed households in the Western Cape or no data recorded. Gauteng has a conspicuously low number of child headed households relative to total population and children figures (data from Children's Institute).

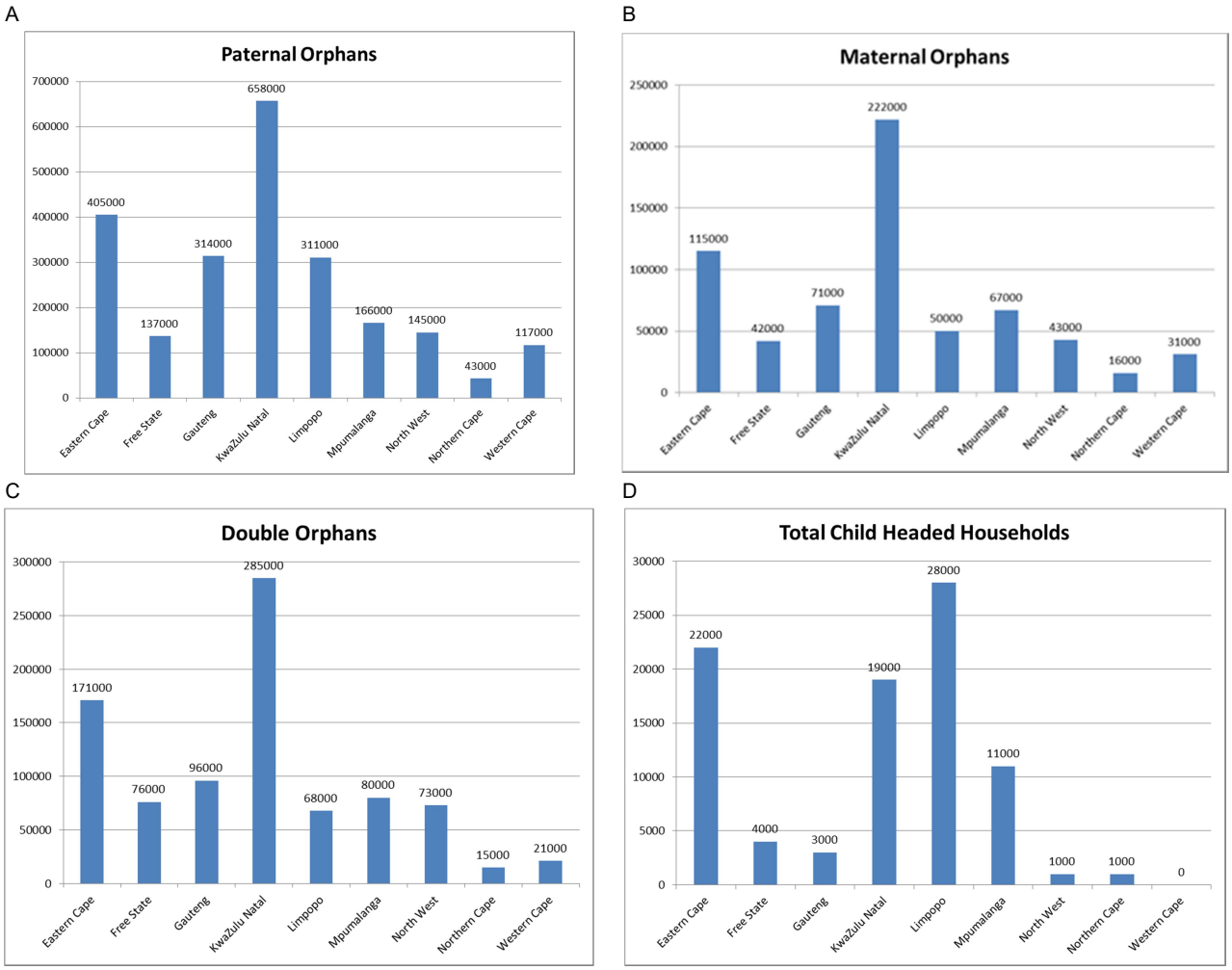


Figure 6.10: Bar charts showing numbers of the various orphan types per province in South Africa a) paternal orphans; b) maternal orphans; c) double orphans; and d) child headed households. Data from Children's Institute

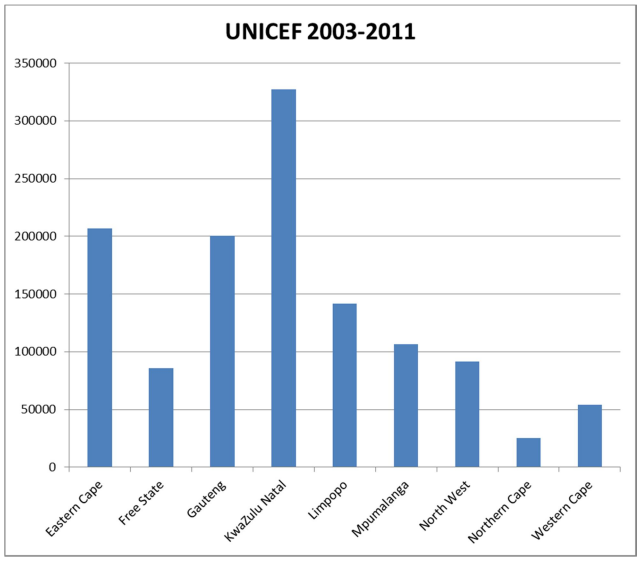
As the UNICEF data[1118] provides the detail that is not available in other records, i.e. available at a district municipal level, this information was used in further analyses. In addition, as the succession training project was a UNICEF initiative the data was considered to fit more closely with the aims of the project and the detail allows for an in depth evaluation that is not possible at province level.

UNICEF province data for maternal orphans in 2011 are shown in Figure 6.11a and compared to 2010 data from the Children's Institute (Figure 6.11b). Here it is not so

[1118] UNICEF see note 1116.

much the actual numbers that are important as comparing the pattern of the frequency. The most conspicuous change is that the UNICEF data has higher counts for Limpopo and Gauteng and the pattern more closely resembles that of the total children distribution (Figure 6.9a).

A



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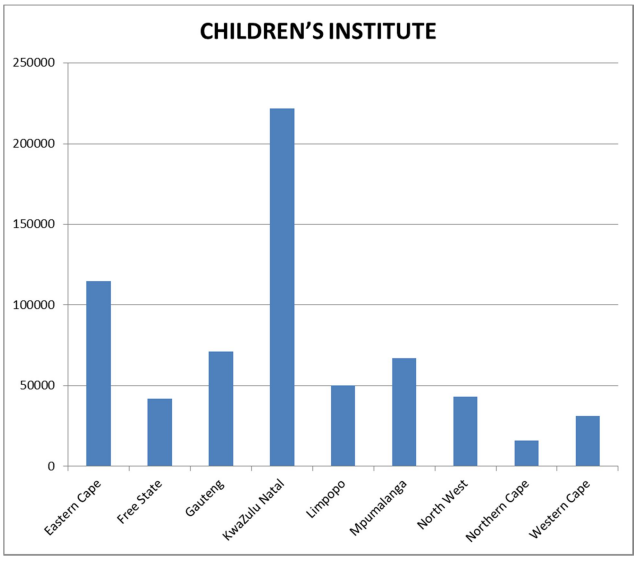

Figure 6.11: Bar charts showing the frequency distribution of maternal orphans in the provinces of South Africa a) UNICEF 2003–2011[1119] ; and b) Children's Institute[1120]

6.10.2 Orphan problem areas

The frequency of maternal orphans in each province and district is shown in Figure 6.12. The data is plotted as percentages but numbers within each region are the recorded counts. Increasing intensity of shading on the maps reflects increasing numbers of OVC with the severe to extreme orphan problem areas highlighted as darker brown. Province scale data simplifies the orphan frequency so in order to show a more realistic picture data are plotted at a district municipal level.

At province scale the maternal orphan problem categories are major (Northern Cape), severe (Western Cape) and extreme (all other provinces). The extreme problem regions with more than 90,000 maternal orphans in each province are Limpopo, Eastern Cape, Gauteng and KwaZulu-Natal, in order of increasing severity. The entire country is affected by a serious OVC problem.

The district municipal level map shows the maternal orphan distribution in greater detail and the key problem areas are seen to be restricted to generally smaller and more isolated regions (Figure 6.12). KwaZulu-Natal is the main problem area because

[1119] UNICEF see note 1116.

[1120] Hall & Meintjes see note 1112.

eThekwini and uMgungundlovu have extreme and major maternal orphan counts, respectively and uMkhanyakude, Zululand and uThungulu are categorised as high problem regions. The Eastern Cape is another key problem area with a major maternal orphan problem spread over three coastal district municipalities, Alfred Nzo, OR Tambo and Amathole. District municipalities with a severe maternal orphan problem are the City of Johannesburg and Ekurhuleni in Gauteng and Ehlanzeni in Mpumalanga. The Capricorn district of Limpopo, Bojanala Platinum in the North West, City of Tshwane, Gauteng, Thabo Mofutsanyane, Free State and the City of Cape Town in the Western Cape all have a major problem. Namakwa and Central Karoo are the only district municipalities that fall in to the category of a minor maternal orphan problem.

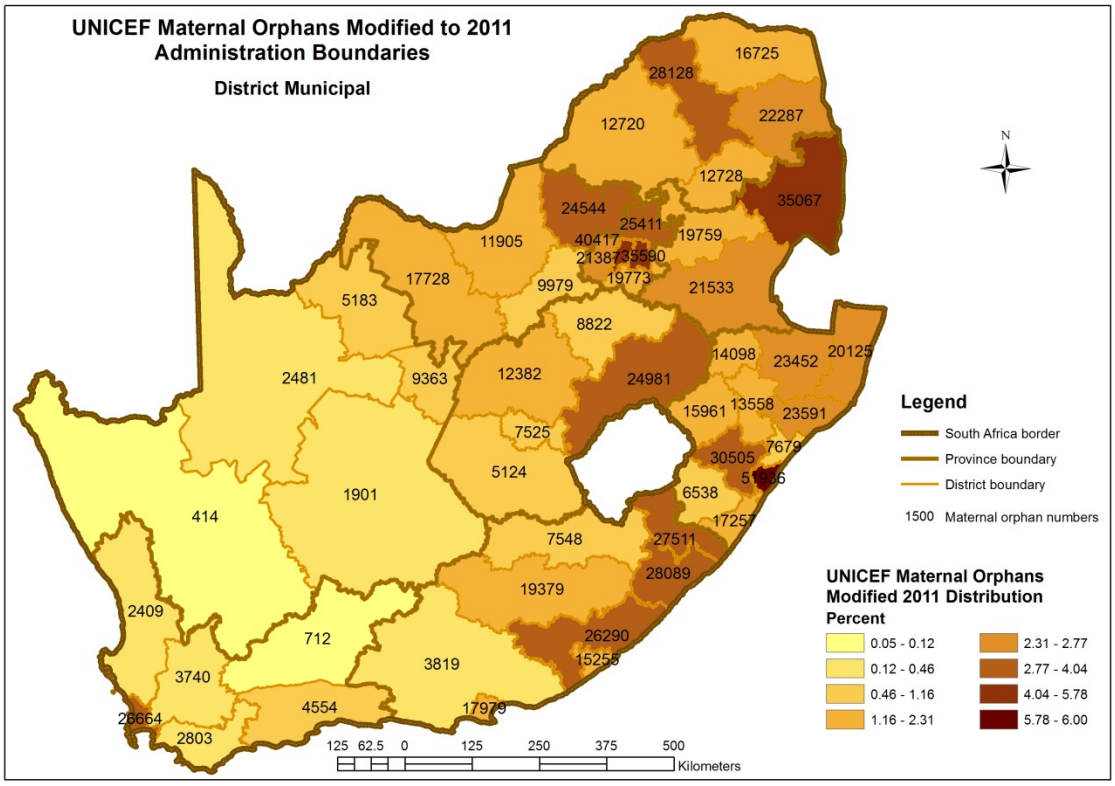

Figure 6.12: Distribution of maternal orphans within the district municipalities of South Africa Modified from UNICEF district municipal data[1121]

The density distribution of maternal orphans per square kilometre at a district municipal level is shown in Figure 6.13 for comparison with Figure 6.12. The density highlights the key problem areas with respect to the concentration of maternal orphans relative to the size of the district. Most of the metropolitan municipalities are key problem areas. Density distribution identifies Gauteng as a big problem area with the City of Tshwane, West Rand and Sedibeng having nearly 5 maternal orphans per km^2 while Ekurhuleni and the City of Johannesburg have densities of 18 and 24 maternal orphans per km^2.

[1121] See discussion of modifiable area unit problem in Chapter 3, Section 3.7 on page 108. UNICEF see note 1116.

On the other hand, eThikwini has a density of 22 maternal orphans per km^2 perhaps

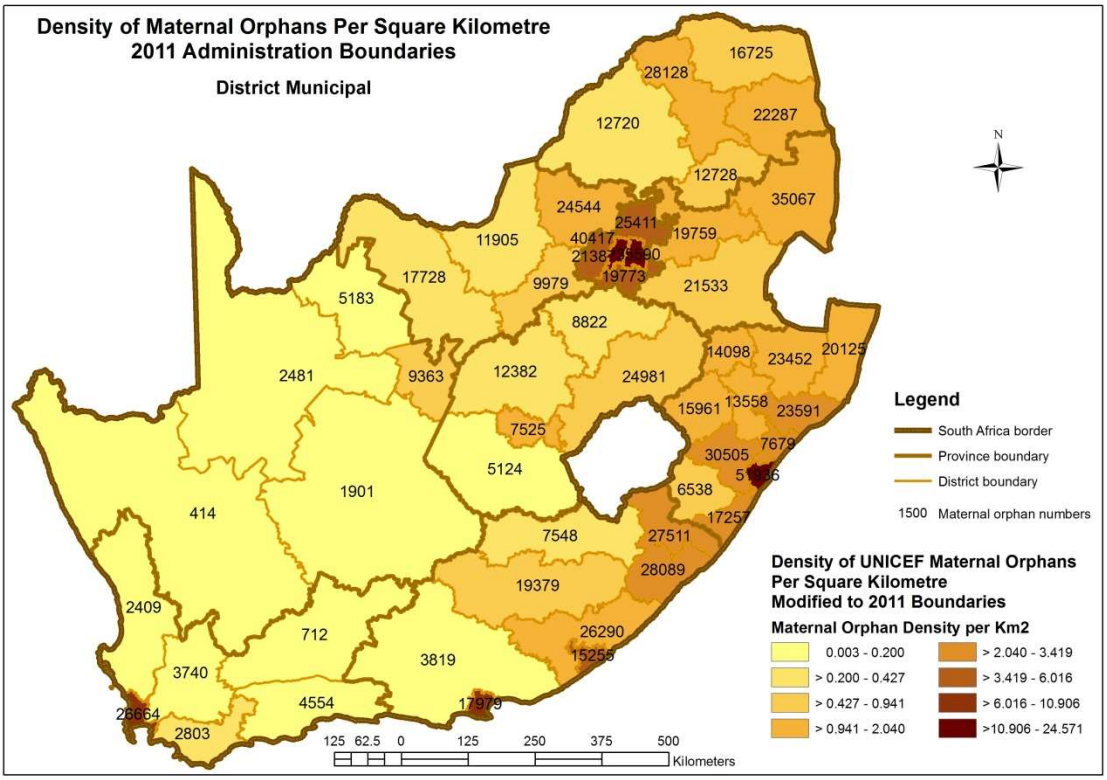

Figure 6.13: Maternal orphan density distribution per square kilometre in each of the district municipalities Maternal orphan data modified from UNICEF[1122]

A

Province	District	Counts	Percent	Category
KwaZulu Natal	uMkhanyakude	20125	2.33	
Gauteng	West Rand	20276	2.34	
Mpumalanga	Gert Sibande	21533	2.49	High
Limpopo	Mopani	22287	2.58	
KwaZulu Natal	Zululand	23452	2.71	
KwaZulu Natal	uThungulu	23591	2.73	
Gauteng	City of Tshwane	23592	2.73	
North West	Bojanala	24544	2.84	
Western Cape	City of Cape Town	26664	3.08	Major
Limpopo	Capricorn	28128	3.25	
KwaZulu Natal	uMgungundlovu	30505	3.53	
Mpumalanga	Ehlanzeni	35067	4.05	
Gauteng	Ekurhuleni	35590	4.11	
Eastern Cape	OR Tambo	36902	4.26	Severe
Gauteng	City of Johannesburg	40417	4.67	
Eastern Cape	Amathole	41545	4.80	
KwaZulu Natal	eThekwini	51936	6.00	Extreme

B

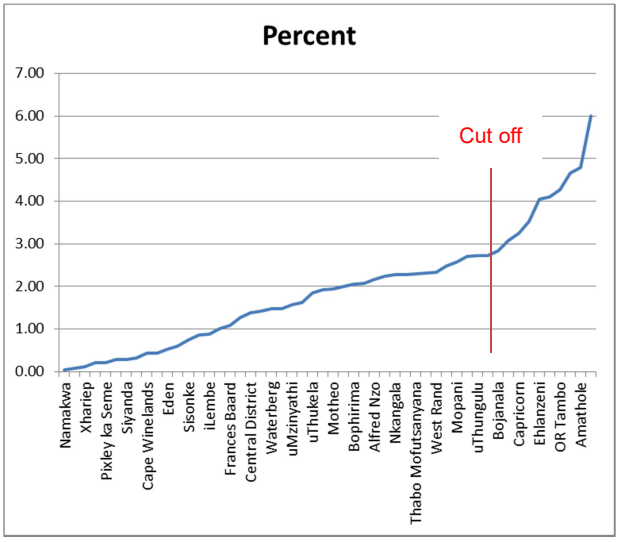

Figure 6.14: Key maternal orphan problem district municipalities
a) Listed in increasing order and showing nominal categories; and b) frequency graph showing higher/lower class cut off

suggesting that Johannesburg is the most extreme problem area. Density data show that all metropolitan municipalities have a severe maternal orphan problem and the major district municipalities of concern are located in the east of the country, particularly

[1122] See discussion of modifiable area unit problem in Chapter 3, Section 3.7 on page 108. UNICEF see note 1116.

the south- and north-east. However in order to simplify comparing orphan numbers with delegate numbers, percentages of the raw data are used throughout the study.

The crucial maternal orphan problem areas identified are listed in Figure 6.14a and the defining cut off used to separate these regions from the relatively lower problem districts is shown in Figure 6.14b. District municipalities are listed in order of increasing maternal orphan numbers along with their nominal category.

6.11 Succession planning training sites

Information used in the GIS analysis of the succession planning workshops is based on data captured from attendance registers and pre-training questionnaires completed. The numbers recorded therefore reflect numbers of delegates that completed attendance records and questionnaires during the training workshops.

6.11.1 Roll-out one: 2009–2010

A total of 28 training sessions were held throughout South Africa during roll-out 1 of the succession planning project (Table 6.8). At least one and up to four training sessions were held in each province. The location of the training sites is shown against the backdrop of the 2003 to 2009 maternal orphan distribution at a district scale (Figure 6.15). A total of 496 delegates across 22 sites were trained during roll-out 1. The numbers trained were relatively evenly distributed within each province although two provinces broke away from the norm with KwaZulu-Natal showing a maximum of 68 and the Free State with a minimum of 39 delegates trained (Table 6.8).

Table 6.8: Number of training sessions held per province during roll-out 1

PROVINCE	ROLL-OUT ONE: 2009–2010			
	2009	2010	Sites	Delegates trained
KwaZulu-Natal		3	2	68
Free State		3	2	39
Eastern Cape		3	2	59
Mpumalanga	2	1	1	51
Limpopo		3	3	61
Northern Cape		4	3	51
North West		3	3	59
Western Cape	1	2	3	51
Gauteng	3		3	57
TOTAL	28		22	496

The location with the prime maternal orphan problem in South Africa is eThikwini in

KwaZulu-Natal. Two training sessions were held in Durban and were attended by 44 delegates. One training session of 24 people was held in Ulundi which is located in Zululand and close to the uThungulu district municipality. Both areas are locations of high maternal orphan counts.

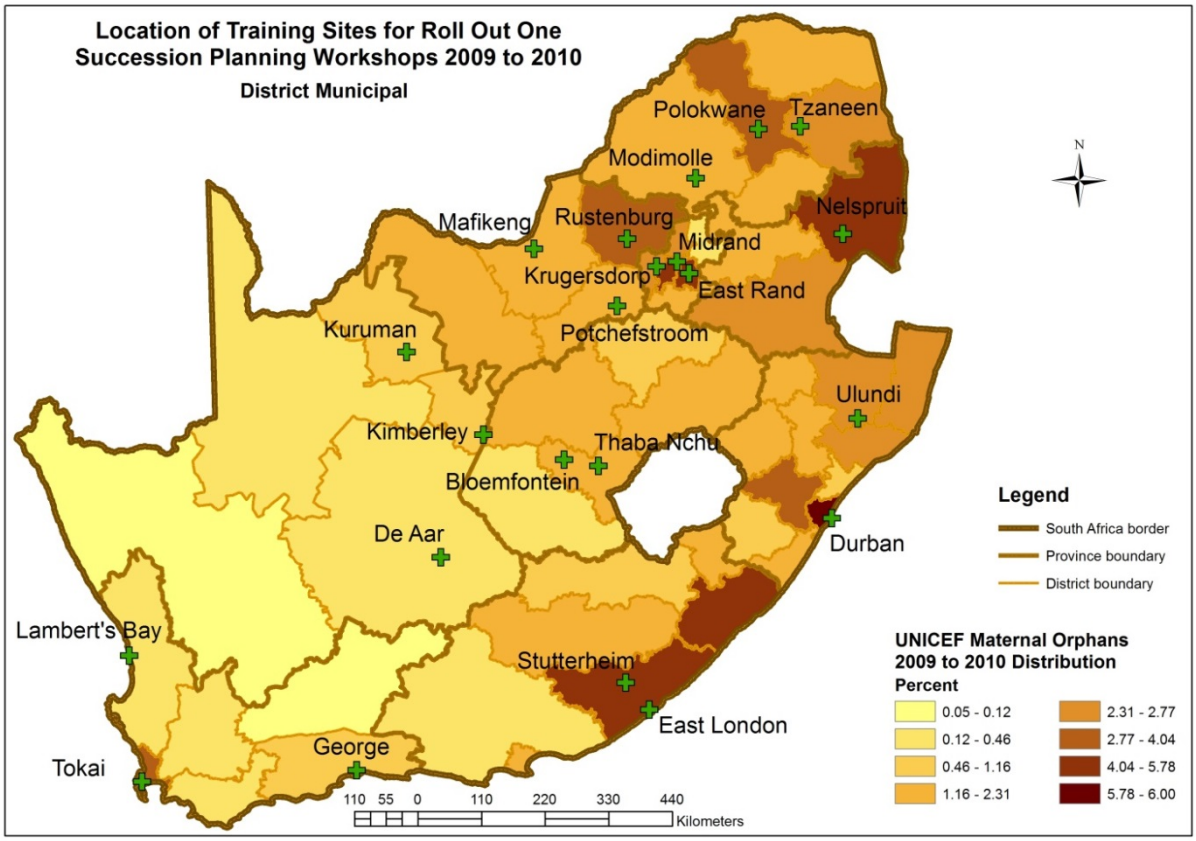

Figure 6.15: Location of roll-out 1 succession planning training sites compared to the 2009 frequency of maternal orphans in the various district municipalities of South Africa

The Eastern Cape is the next main problem area, in particular Amathole district municipality which has a severe problem and nearly 5 % of the country's maternal orphans are located here. Three training sessions of 59 people were held in the district at Stutterheim and East London.

The City of Johannesburg (4.7 %), Ekurhuleni (4 %) and the City of Tshwane (2.7 %) together have a large population of maternal orphans at 11.5 %. Three training sessions were held. Training was located at Midrand (18 delegates) in the Johannesburg metropolitan municipality but close to the City of Tshwane municipality and at East Rand (17 delegates) in Ekurhuleni. A third site was located at Krugersdorp (22 delegates) in the West Rand district.

Ehlanzeni district municipality in Mpumalanga is a severe problem area with 4 % maternal orphans. Three training sessions were held at Nelspruit within the district and 51 people were trained.

In Limpopo province Capricorn district municipality is identified as a major orphan problem area. Eighteen people attended training held at Polokwane which is located within the district. Further training attended by 22 people was held at Tzaneen in the Mopani district and 21 people at Modimolle in the Waterberg district. Mopani district has high maternal orphan problem (2.6 %) while Waterberg (1.5 %) has a moderate problem.

The City of Cape Town, Western Cape, has a major maternal orphan problem contributing 3 % to the total maternal orphan problem. Three training sessions were held in the Western Cape, one at Tokai, within the City of Cape Town metropolitan area. The remaining training sites were located in the West Coast and Eden district municipalities at Lamberts Bay and George, respectively. Seventeen delegates were trained at each of the sites. The West Coast has a very low problem while the orphan problem at Eden is low.

Bojanala district municipality is the location of a major maternal orphan problem area in the North West province with nearly 3 % maternal orphans. One training session was held at Rustenburg within the problem district and 19 delegates were trained. Two other training sessions were held at Mafikeng and Potchefstroom in the Central and Southern districts, respectively, both of which have a moderate problem. Twenty delegates were trained at each site.

No district municipalities in the Free State classify as major problem areas for maternal orphans. Thabo Mofutsanyana district at 2.3 % maternal orphans has the biggest problem followed by Motheo district at approximately 2 % maternal orphans. Over 1 % of maternal orphans are present in each of Lejweleputswa and Fezile Dabi district municipalities. The first three districts class as regions with a moderate problem while the last area has a low problem. All training sessions were held in Motheo district. One at Bloemfontein where 11 delegates were trained and two at Thaba Nchu where a total of 28 delegates were trained.

Compared to the remainder of the South Africa provinces the Northern Cape is the least problematic with respect to orphan numbers. Frances Baard at 1 % maternal orphans is the most problematic but despite this it falls into the low category. The remainder of the districts have less than 1 % and Namakwa district has the lowest numbers in South Africa (0.05 %) – a minor problem. Three training sessions were held. One at Kimberley (16 delegates) in the Frances Baard district, one at Kuruman (20 delegates), Kgalagadi district and one at De Aar (15 delegates), Pixley ka Seme district. The latter districts

have a low and very low maternal orphan problem, respectively.

6.11.2 Roll-out two: 2011

A total of 528 delegates were trained in 22 succession planning workshops held throughout South Africa in roll-out 2 of the project (Table 6.9). Workshops were located at 19 sites in eight of the provinces (Figure 6.16). The Northern Cape did not host any workshops in 2011. The remainder of the provinces hosted at least one and up to seven workshops. A maximum number of 170 delegates were trained in KwaZulu-Natal and a minimum of 18 in the Western Cape (Table 6.9). This second implementation made up for the shortfall of training in KwaZulu-Natal that occurred during the first roll-out.

Table 6.9: Number of training sessions held per province during roll-out 2

PROVINCE	ROLL-OUT TWO: 2011		
	2011	Sites	Delegates trained
KwaZulu-Natal	8	6	170
Free State	1	1	23
Eastern Cape	2	2	86
Mpumalanga	1	1	26
Limpopo	1	1	26
Northern Cape	0	0	0
North West	3	3	75
Western Cape	1	1	18
Gauteng	5	4	104
TOTAL	22	19	528

KwaZulu-Natal had the largest maternal orphan problem in South Africa in 2009 — 226,759 (26 %) children. In 2011 this rose to 327,160 (26 %)[1123]. As no detailed information is available at a district municipal level the 2009 data is used for comparison and analysis of roll-out two data. The major problem with this is that some province and many district municipal boundaries changed in 2011. However, the data provides an approximation of the problem present in 2011 and how successfully training targeted problem areas. The location of training sites for the workshops held in 2011 are shown in Figure 6.16 and are compared to the modified 2009 frequency distribution of maternal orphans[1124].

Eight workshops were held over 6 sites in KwaZulu-Natal during roll-out 2 of the project. However, none targeted the worst location, i.e. eThekwini, although one delegate, who

[1123] UNICEF see note 1116.

[1124] See discussion of modifiable area unit problem in Chapter 3, Section 3.7 on page 108

was trained in Gauteng, works in Durban. Workshops were held at Pietermaritzburg, Kokstad, Greytown, Eshowe, Tugela Ferry and Ladysmith. Pietermaritzburg hosted 3 workshops and is located in a district with a major maternal orphan problem, uMgungundlovu. Eshowe is located in uThungulu which is categorised as a high problem region. Tugela Ferry and Greytown are in uMzinyathi and Ladysmith in uThukela district both of which have a moderate problem. Kokstad is in Sisonke where there is a low problem (Figure 6.16).

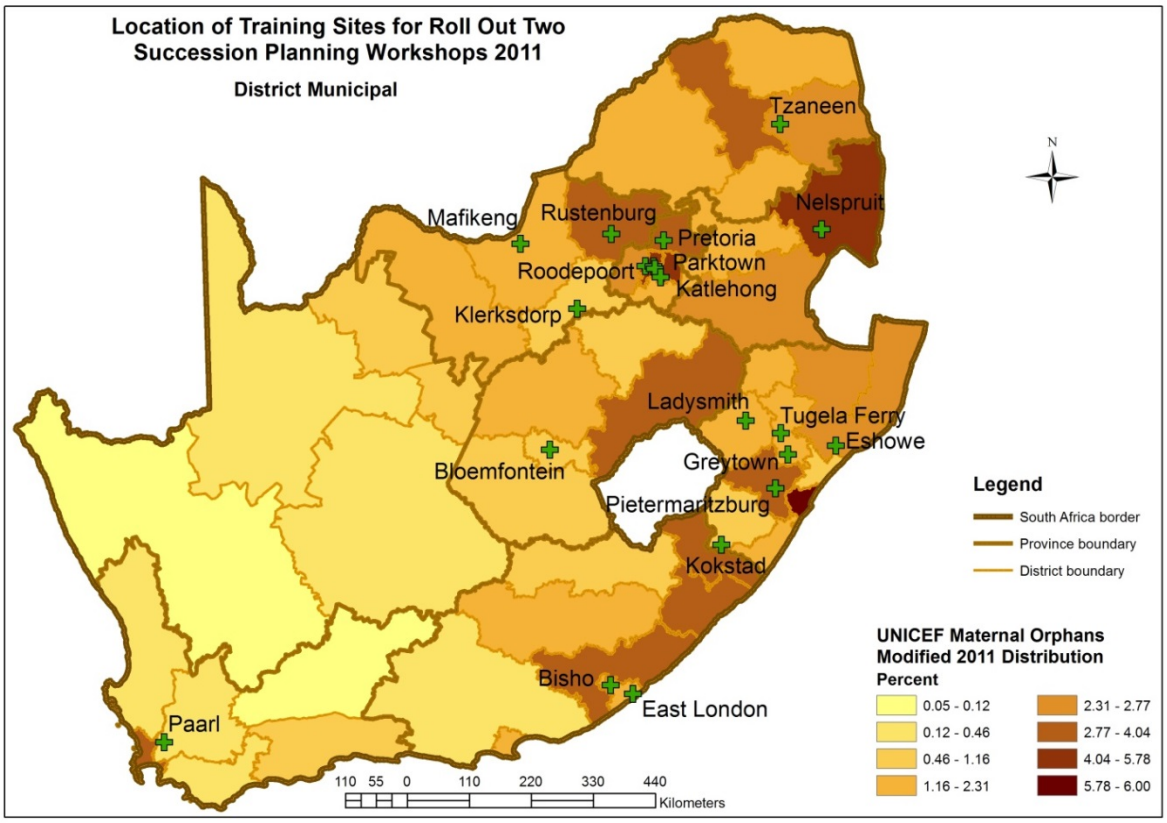

Figure 6.16: Location of roll-out 2 succession planning training sites compared to the modified 2009 frequency of maternal orphans in the various district municipalities of South Africa

In the Eastern Cape two workshops were run at two sites. Both places are in the Buffalo City metropolitan municipality which has a moderate problem. However, as this is based on an estimated number to adjust to the 2011 administration boundaries the reliability of the count is uncertain. The Buffalo City metropolitan municipality is surrounded by Amathole, a district with a major problem (Figure 6.16).

Gauteng hosted five workshops spread over four sites. Three were located in the Johannesburg metropolitan municipality, one in Ekurhuleni and one in the City of Tshwane. All were located in the key maternal orphan problem areas the former two in areas with a severe problem and the latter a major problem (Figure 6.16).

Limpopo and Mpumalanga hosted one workshop each at Tzaneen and Nelspruit

respectively. The sites are located in Mopani, Limpopo, which has a high orphan problem and Ehlanzeni, Mpumalanga, a severe problem. One workshop was held in the Free State at Bloemfontein in Mangaung a metropolitan municipality created from the now defunct Motheo district municipality. Orphan numbers in Mangaung are estimated from the original district municipality. The estimated counts suggest a low orphan problem (Figure 6.16).

Three workshops were held at three sites in the North West, Rustenburg, Mafikeng and Klerksdorp. Rustenburg in Bojanala Platinum district targets a major maternal orphan problem area while the latter two have moderate to low problems, respectively (Figure 6.16). In the Western Cape a single workshop was held at Paarl, located in the Cape Winelands. The district has a very low count of maternal orphans. No workshops were held in the Northern Cape but this is an area characterised by relatively low numbers of orphans compared to other provinces (Figure 6.16).

6.12 Both roll-outs combined: 2009 to 2011

The results of the combined roll-out 1 and roll-out 2 succession planning workshops are discussed in the following section.

6.12.1 Delegate district work area distribution

Training sites are located in every province of South Africa. Trained delegates work in all district municipalities with the exception of Overberg in the Western Cape (Figure 6.17). District municipalities in the north, northeast, south and southeast of the country generally have higher numbers of delegates while those to the west and centre have relatively lower numbers (Figure 6.17).

The district municipalities with the highest numbers of trained delegates per district, i.e. 20 to 75 trainees, are listed in Table 6.10 and compared to numbers of orphans in the same districts, using the 2011 modified maternal orphan counts. A comparison of this information with the two maps showing trainee and maternal orphan distribution (Figure 6.17 and Figure 6.18) indicates that the problem areas are poorly targeted.

This is confirmed in Table 6.11 where regions with high to extreme maternal orphan problems are compared to the number of trained delegates in the same districts. There is no clear association of delegate numbers with orphan numbers. Although 50 % of the

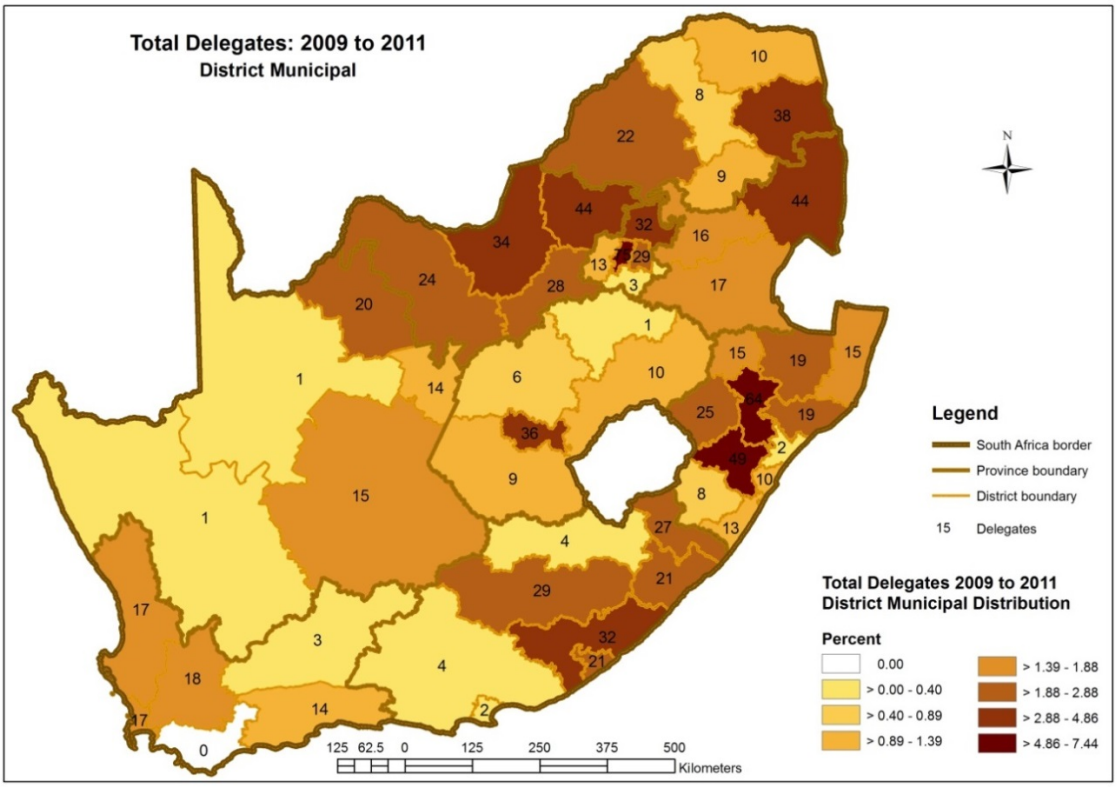

Figure 6.17: Location of 2009 to 2011 delegate district municipal areas of influence
Data from Succession planning training roll-out 1 and 2

Table 6.10: District municipalities with high to extreme numbers of trained delegates compared to numbers of orphans in the same districts

Province	District	Delegates	Percent	Category	Orphans	Percent
Northern Cape	John Taolo Gaetsewe	20	1.98		5183	0.60
Eastern Cape	Buffalo City	21	2.08		15255	1.76
Eastern Cape	OR Tambo	21	2.08		28089	3.25
Limpopo	Waterberg	22	2.18		12720	1.47
North West	Dr Ruth Segomotsi Mompati	24	2.38		17728	2.05
KwaZulu Natal	uThukela	25	2.48	High	15961	1.84
Eastern Cape	Alfred Nzo	27	2.78		27511	3.18
North West	Dr Kenneth Kaunda	28	2.78		9979	1.15
Eastern Cape	Chris Hani	29	2.88		19379	2.24
Gauteng	Ekurhuleni	29	2.88		35590	4.11
Eastern Cape	Amathole	32	3.17		26290	3.04
Gauteng	City of Tshwane	32	3.17		25411	2.94
North West	Ngaka Modiri Molema	34	3.37		11905	1.38
Free State	Mangaung	36	3.57	Very high	7525	0.87
Limpopo	Mopani	38	3.77		22287	2.58
Mpumalanga	Ehlanzeni	44	4.37		35067	4.05
North West	Bojanala Platinum	44	4.37		24544	2.84
KwaZulu Natal	uMgungundlovu	49	4.86		30505	3.53
KwaZulu Natal	uMzinyathi	64	6.35	Extreme	13558	1.57
Gauteng	City of Johannesburg	75	7.44		40417	4.67

KEY: Maternal Orphan Categories

Orphan Numbers	Category
≤ 999	Minor
1,000 - 3,999	Very low
4,000 - 9,999	Low
10,000 - 19,999	Moderate
20,000 - 23,999	High
24,000 - 34,999	Major
35,000 - 49,999	Severe
≥ 50,000	Extreme

trainees do work in areas with a high to severe problem they are not in the correct relative proportions. For example, uMzinyathi in KwaZulu-Natal has 64 trained representatives to care for 13,558 orphans (moderate problem) while eThekwini in KwaZulu-Natal has 10 trainees in a municipality with 51,936 orphans (extreme problem). This is one sixth the number of delegates to care for almost four times the number of orphans.

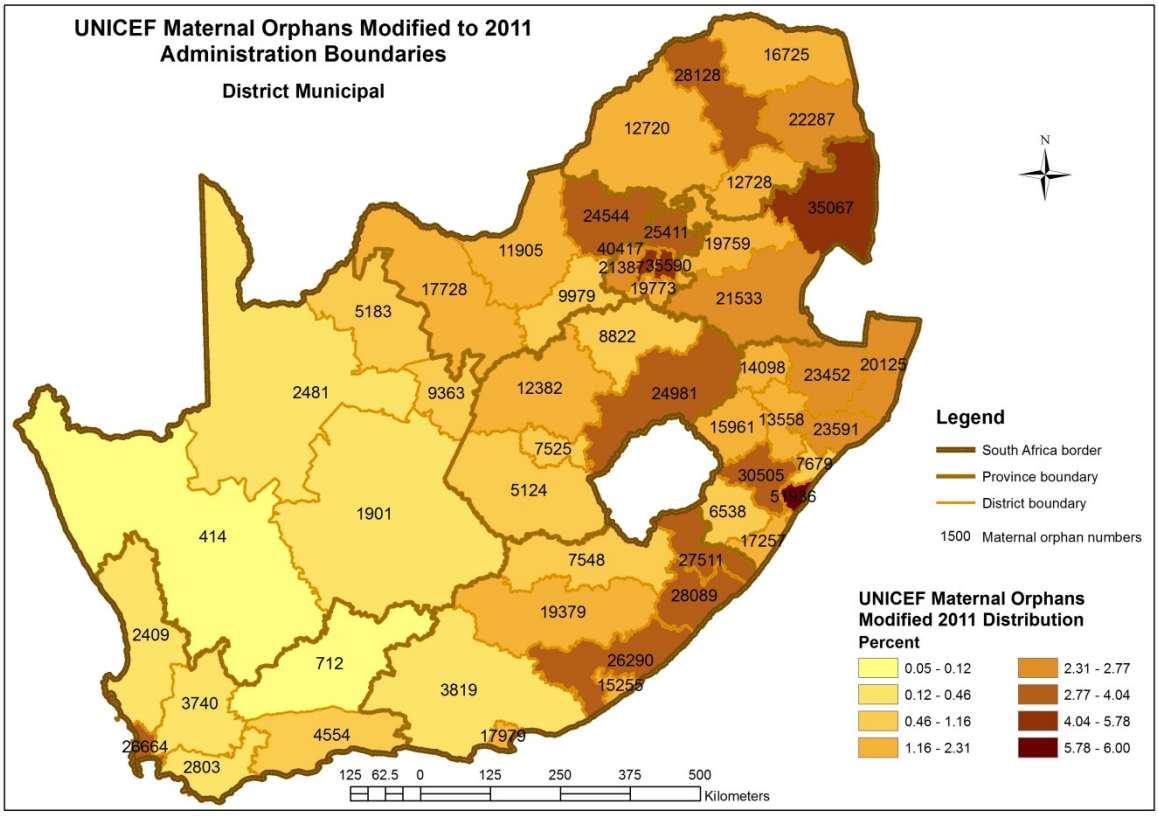

Figure 6.18: Distribution of 2009 maternal orphans modified to 2011 administration boundaries Modified from UNICEF[1125]

Key problem areas characterised by high to extreme numbers of maternal orphans are located in a few district municipalities in the north east, parts of the Eastern Cape and 50 % of KwaZulu-Natal (Figure 6.18). The latter is the most severe orphan problem location. Delegate training did not target these severe problem areas although some overlap of higher numbers of trained delegates with higher numbers of orphans does occur.

The district municipalities with a moderate orphan problem are listed in Table 6.12 and compared to the number of delegates who have been trained and work in those areas. Two of the districts with moderate numbers of delegates care for moderate numbers of orphans. Two areas each have very low and low numbers of delegates trained, i.e. from

[1125] UNICEF see note 1116.

2 to 9 delegates to care for from 12,382 to 19,773 maternal orphans and of that two delegates care for 17,979 orphans while 9 care for 12,728 so in detail the relative order of numbers is mixed. The remainder of the districts, 8 in all which make up 53 % of the list, have delegate numbers ranging from moderately high, 15, in Amajuba to extreme, 64, in uMzinyathi. Again there is no relationship between numbers of orphans and trainees in each area. For example there are 14,098 orphans in Amajuba and 13,558 in uMzinyathi yet the latter has an extremely high number of trained representatives to help OVC.

Table 6.11: High to extreme maternal orphan problem areas compared to the number of trained delegates in the same districts. Districts are listed in order of increasing problem

Province	District	Orphans	Percent	Category	Delegates	Percent	Category
KwaZulu Natal	uMkhanyakude	20125	2.33		15	1.49	
Gauteng	West Rand	21387	2.47		13	1.29	
Mpumalanga	Gert Sibande	21533	2.49	High	17	1.69	
Limpopo	Mopani	22287	2.58		38	3.77	
KwaZulu Natal	Zululand	23452	2.71		19	1.88	Moderately
KwaZulu Natal	uThungulu	23591	2.73		19	1.88	high
North West	Bojanala Platinum	24544	2.84		44	4.37	
Free State	Thabo Mofutsanyane	24981	2.89		10	0.99	
Gauteng	City of Tshwane	25411	2.94		32	3.17	
Eastern Cape	Amathole	26290	3.04		32	3.17	Very high
Western Cape	City of Cape Town	26664	3.08	Major	17	1.69	
Eastern Cape	Alfred Nzo	27511	3.18		27	2.78	
Eastern Cape	OR Tambo	28089	3.25		21	2.08	High
Limpopo	Capricorn	28128	3.25		8	0.79	
KwaZulu Natal	uMgungundlovu	30505	3.53		49	4.86	
Mpumalanga	Ehlanzeni	35067	4.05		44	4.37	
Gauteng	Ekurhuleni	35590	4.11	Severe	29	2.88	
Gauteng	City of Johannesburg	40417	4.67		75	7.44	Extreme
KwaZulu Natal	eThekwini	51936	6.00	Extreme	10	0.99	Moderate

KEY: Delegate Categories

Delegate Numbers	Category
1 - 4	Very Low
5 - 9	Low
10 - 14	Moderate
15 - 19	Moderately high
20 - 29	High
30 - 49	Very High
≥ 50	Extremely high

Districts with low to minor maternal orphan problems are listed in Table 6.13. A total of 33 % of the areas have the appropriate category of trained delegates although again in detail these are mismatched. The remainder of the districts have either no delegates, Overberg, too few (17 %) or more than necessary (44 %). The latter is good for aiding OVC but there are numerous district municipalities with a more urgent need for trained representatives that could benefit from higher numbers of trainees.

Table 6.12: Districts with a moderate maternal orphan problem compared to numbers of trained delegates working in the same areas. Districts are listed in order of increasing problem

Province	District	Orphans	Percent	Category	Delegates	Percent	Category
North West	Ngaka Modiri Molema	11905	1.38		34	3.37	Very high
Free State	Lejweleputswa	12382	1.43		6	0.60	Low
Limpopo	Waterberg	12720	1.47		22	2.18	
Limpopo	Sekhukhune	12728	1.47		9	0.89	
KwaZulu Natal	uMzinyathi	13558	1.57		64	6.35	Extreme
KwaZulu Natal	Amajuba	14098	1.63		15	1.49	
Eastern Cape	Buffalo City	15255	1.76		21	2.08	
KwaZulu Natal	uThukela	15961	1.84	Moderate	25	2.48	High
Limpopo	Vhembe	16725	1.93		10	0.99	
KwaZulu Natal	Ugu	17257	1.99		13	1.29	Moderate
North West	Dr Ruth Segomotsi Mompati	17728	2.05		24	2.38	
Eastern Cape	Nelson Mandela Bay	17979	2.08		2	0.20	Very low
Eastern Cape	Chris Hani	19379	2.24		29	2.88	
Mpumalanga	Nkangala	19759	2.28		16	1.59	Mod. High
Gauteng	Sedibeng	19773	2.29		3	0.30	

Table 6.13: Districts with a low to minor maternal orphan problem are compared to numbers of trained delegates working in the same areas. Districts are listed in order of increasing problem

Province	District	Orphans	Percent	Category	Delegates	Percent	Category
Northern Cape	Namakwa	414	0.05		1	0.10	
Western Cape	Central Karoo	712	0.08	Minor	3	0.30	Very low
Northern Cape	Pixley ka Seme	1901	0.22		15	1.49	Moderately
Western Cape	West Coast	2409	0.28		17	1.69	high
Northern Cape	Siyanda	2481	0.29	Very low	1	0.10	
Western Cape	Overberg	2803	0.32		0	0.00	None
Western Cape	Cape Winelands	3740	0.43		18	1.79	
Eastern Cape	Cacadu	3819	0.44		4	0.40	
Western Cape	Eden	4554	0.53		14	1.39	Moderate
Free State	Xhariep	5124	0.59		9	0.89	
Northern Cape	John Taolo Gaetsewe	5183	0.60		20	1.98	
KwaZulu Natal	Sisonke	6538	0.76		8	0.79	Low
Free State	Mangaung	7525	0.87	Low	36	3.57	Very high
Eastern Cape	Joe Gqabi	7548	0.87		4	0.40	
KwaZulu Natal	iLembe	7679	0.89		2	0.20	Very low
Free State	Fezile Dabi	8822	1.02		1	0.10	
Northern Cape	Frances Baard	9363	1.08		14	1.39	
North West	Dr Kenneth Kaunda	9979	1.15		28	2.78	High

6.12.2 Delegate work area affiliation distribution

Three categories are used to describe delegate work affiliations. These are: government; non-government; and faith based organisations. A total of 1007 delegates, for whom records are available, were trained in the succession planning workshops that were held from 2009 to 2011. Representatives from non-governmental organisations are the largest group with 623 (62 %) trained followed by those from government, 361 (36 %), while very few, only 23 (2 %), associated with faith based organisations were trained. The distribution of each of these work categories is shown in Figure 6.19 and Figure 6.20 and can be compared to the total delegates trained in Figure 6.17.

The choropleth map for total delegates shows almost complete coverage of all districts by trainees from the 2009 to 2011 workshops. The only exception is Overberg in the Western Cape. In general higher numbers of representatives are located in the east and lower numbers in the west and central portions of the country (Figure 6.17) which approximately mirrors the maternal orphan distribution.

Trainees with government affiliations are located in all but one province, Limpopo, and three districts of the Western Cape. The largest concentration of trained delegates is in the North West with high numbers in three, 22 to 26, and moderately high, 18, in one district. Two districts in the Eastern Cape have moderately high to high numbers of trainees, 18 and 22 and three in KwaZulu-Natal have moderately high, from 15 to 17, trained delegates. The remaining areas have very low to moderate numbers of trained government representatives (Figure 6.19).

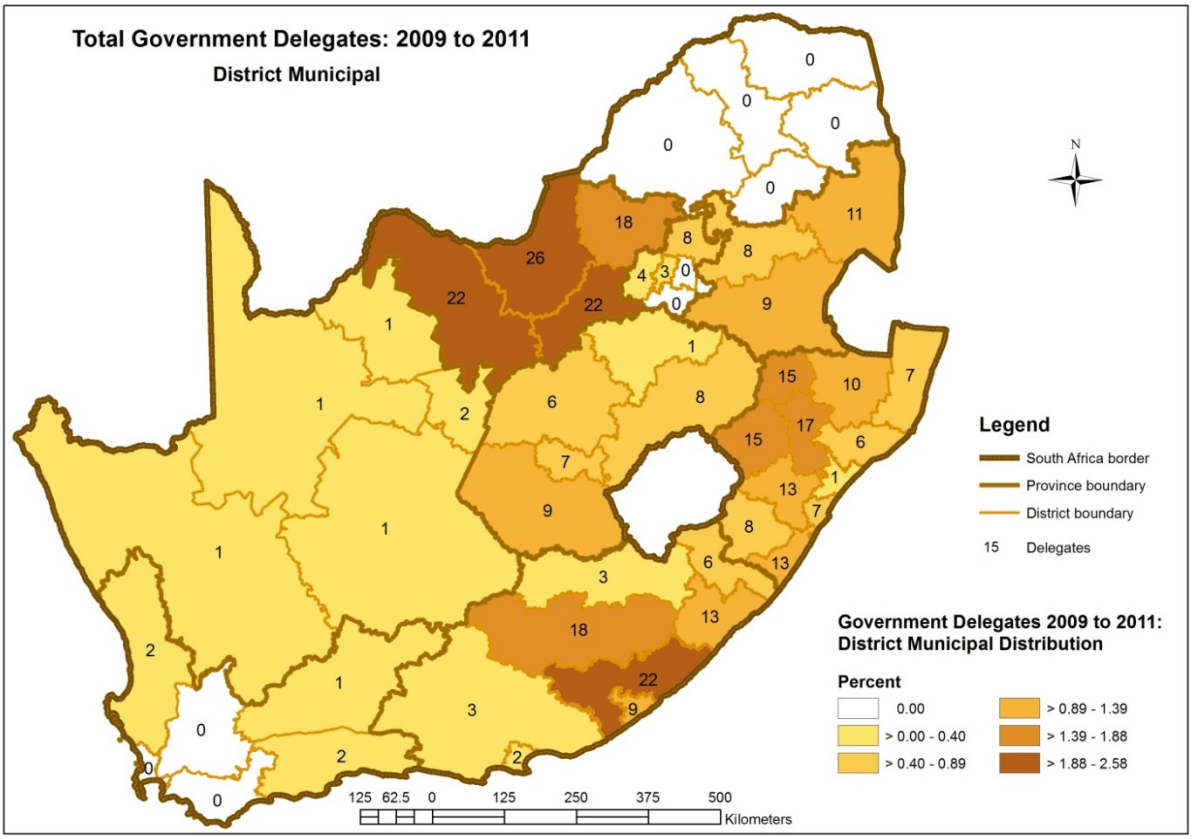

Figure 6.19: Map showing the distribution of all government employees trained in the succession planning workshops held from 2009 to 2011

Non-Governmental trainees work in all of the districts in Limpopo, Mpumalanga, Gauteng and North West, most of the Eastern Cape, KwaZulu-Natal and parts of Free State and the Northern and Western Capes. They fill the gaps left by the absence of government representatives in Limpopo and Gauteng and generally overlap with them in the remainder of the districts where trained NGO delegates are present (Figure 6.20).

Trained NGO delegates have a patchy distribution. Extreme numbers are located in the City of Johannesburg, very high counts in uMzinyathi and uMgungundlovu, KwaZulu-Natal, in Mopani, Limpopo, and in Ehlanzeni, Mpumalanga. High numbers of delegates are present in Ekurhuleni, Mangaung, Bojanala Platinum, City of Tshwane, Waterberg and Alfred Nzo (in decreasing order). Moderately high numbers are restricted to John Tsaolo Gaetsewe, Northern Cape, and the West Coast in the Western Cape. Ten districts have no trained NGO representatives. The remainder of the districts have moderate and low to very low numbers of trained NGO delegates (Figure 6.20).

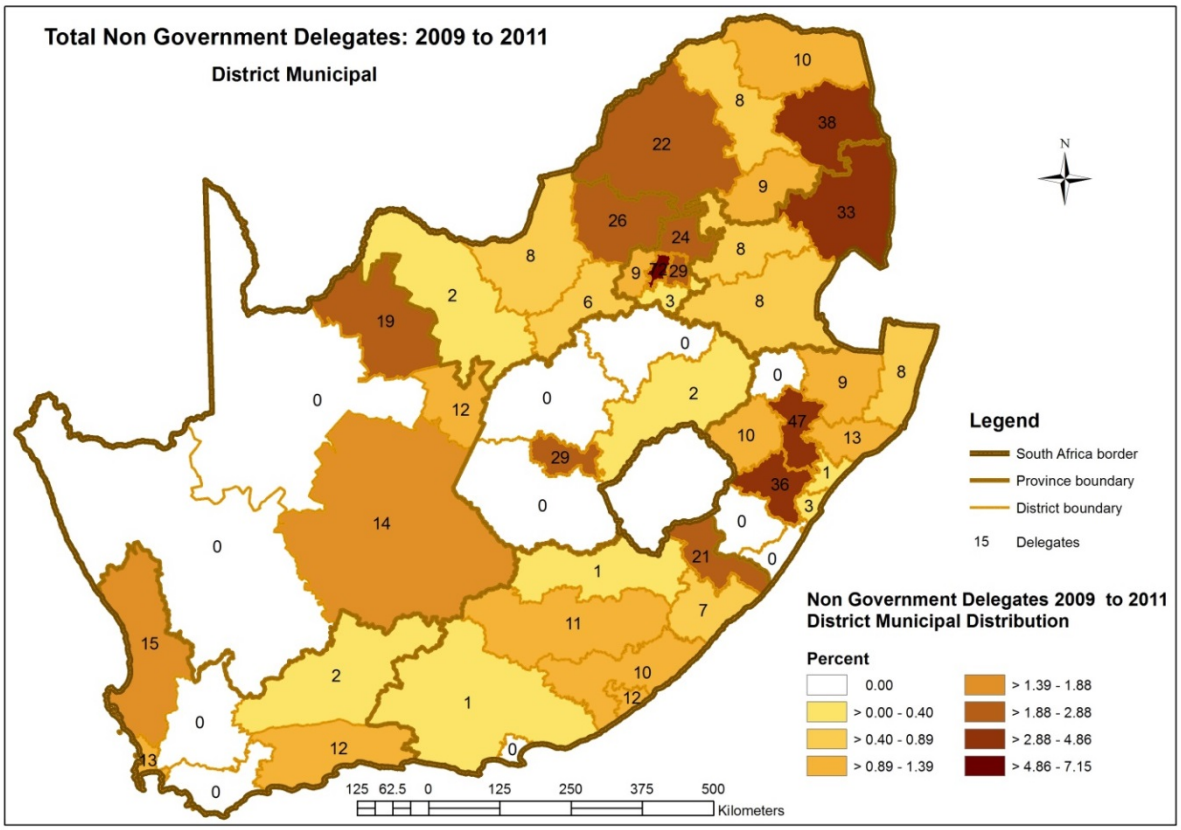

Figure 6.20: Map showing the distribution of all non government employees trained in the succession planning workshops held from 2009 to 2011

Trained representatives from faith based organisations have a very restricted distribution. They are present in three districts: the Cape Town Metropolitan municipality, Cape Winelands and OR Tambo district. The most delegates are located in the Western Cape, particularly the Cape Winelands. One delegate is present in OR Tambo district, Eastern Cape.

6.12.3 Delegate attendance

Attendance/Absenteeism was mapped using delegate days, i.e. each delegate should have three delegate days attendance as that was the length of each workshop. District municipal work areas of delegates were used to map the number of delegate days

attended or missed. The total number of delegate days attended were separated into the work type categories of government, non-government and faith based organisations (Figure 6.21 to Figure 6.22). The degree of attendance is shown in the maps by the presence and intensity of the shading. No shading means no delegates work in the districts, increasing intensity of shading indicates increasing attendance at the workshops with a maximum of 100 % when all delegates in a district have attended all three days of the training.

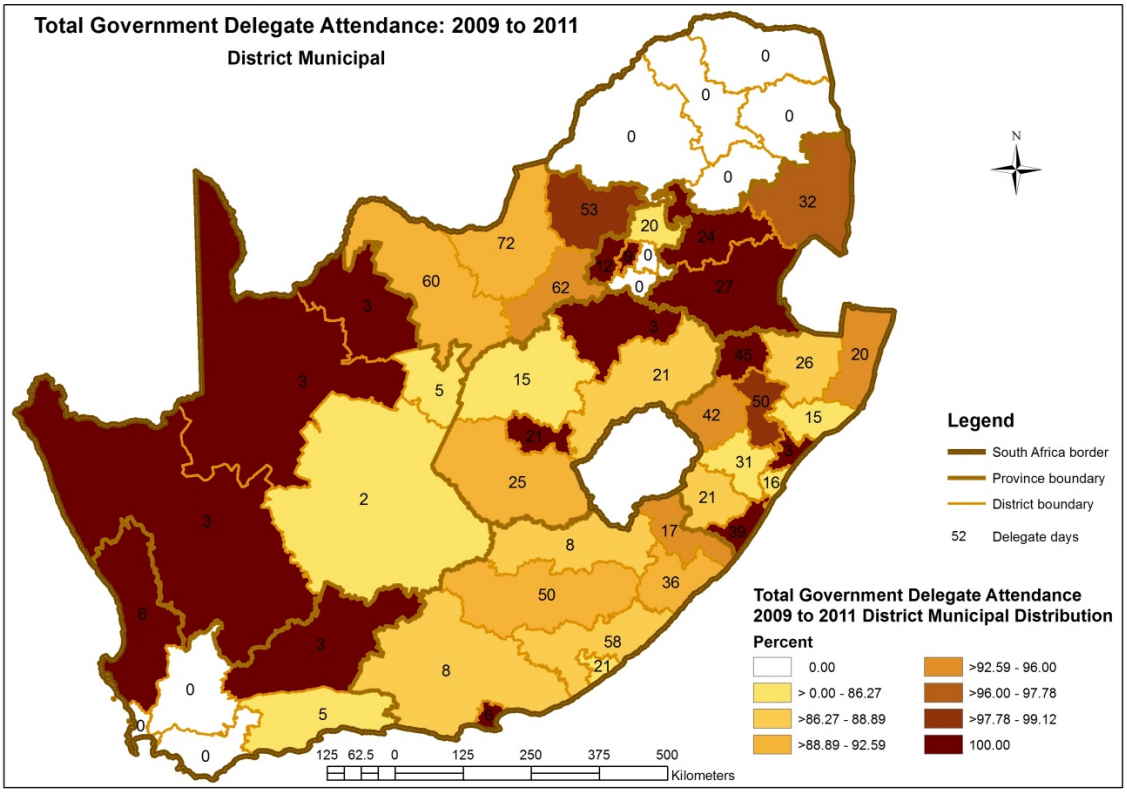

Figure 6.21: Government delegate work areas showing the number of delegate days of attendance for all workshops from 2009 to 2011
Clear white areas represent districts where no trained delegates work

The total of 1007 delegates trained in all workshops run from 2009 to 2011 equates to 3,021 delegate days of training. Of this 2,845 delegate days were attended and 177 delegate days missed. Very simply this translates to 948 (94 %) delegates attended full time and 59 (6 %) were absent for the entire workshop. In reality it is not this simple as all delegates attended at least one day of training. This is just a simple way of expressing how much of funders' or tax payers' money was wasted and estimate the proportion of representatives who are ill-equipped to aid the communities they help and may even provide or apply misleading or incorrect information.

Sixteen of the fifty two district municipalities cared for by delegates trained in the 2009 to 2011 had 100 % attendance, i.e. 31 % of all district municipalities with trained

representatives. A further seven districts had very good to good attendance with minor absenteeism. This means that 44% of the areas have generally well trained delegates but seven of these areas contain trainees only partially qualified to assist their clients.

The attendance of government, NGO and FBO delegates are compared in Figure 6.21 to Figure 6.22. A larger number of NGO workers were trained in the succession planning project than government employees and very few from faith based organisations, 62 %, 36 % and 2 %, respectively. Attendance by NGO representatives was better than that of government employees which were in turn both significantly higher than attendance by delegates from faith based organisation at 96 %, 92 % and 78 %, respectively.

A large number of government representatives, 361, were trained in the succession planning workshops and they work in 41 districts across South Africa. Of these 15 districts (37 %) have 100 % attendance and two have a good turnout at 98 % present while of the remaining districts range from moderately good to poor (Figure 6.21).

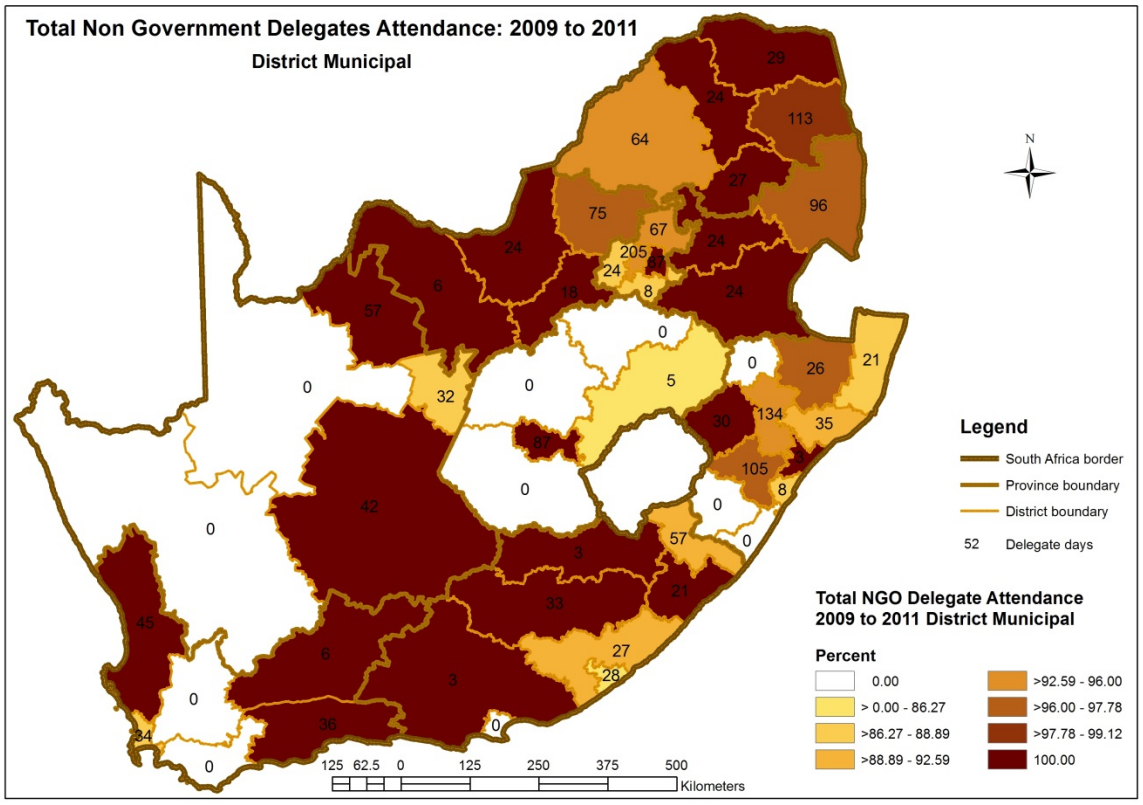

Figure 6.22: Non governmental delegate work areas showing the number of delegate days of attendance for all workshops from 2009 to 2011
Clear white areas represent districts where no trained delegates work

Six hundred and twenty three NGO delegates were trained during 2009 to 2011 and they work in 41 districts across South Africa. Delegates in 20 of the districts, 49 % of the districts in which NGO representatives work, achieved 100 % turnout. Attendance of

delegates in 6 districts ranged from very good to good but in the remaining 15 districts attendance ranged from moderately good to poor (Figure 6.22).

Very few faith based organisation representatives were present at the succession planning workshops. Only 23 delegates located in three districts turned out for the workshops and the single delegate from OR Tambo district was the only person to attend the full three days. The remaining two districts are characterised by poor attendance: the City of Cape Town with 2 of the 12 delegate days missed — 83 % attendance and the Cape Winelands where 13 of 54 delegate days was missed — 76 % attendance.

6.12.4 Delegate absenteeism

Delegate absenteeism is shown in Figure 6.23 to Figure 6.24. A dual shading system is used and shows delegate days missed as a percentage. Dark blue highlights zero values which represent either no absenteeism or that no delegates work in the areas, e.g., Overberg district. Light blue is the minor and pale blue is the low absence category. Cream through yellow and orange to red shades increase in intensity and represent higher percentages of non-attendance from moderately low to very high. Numbers show the number of delegate days missed per district.

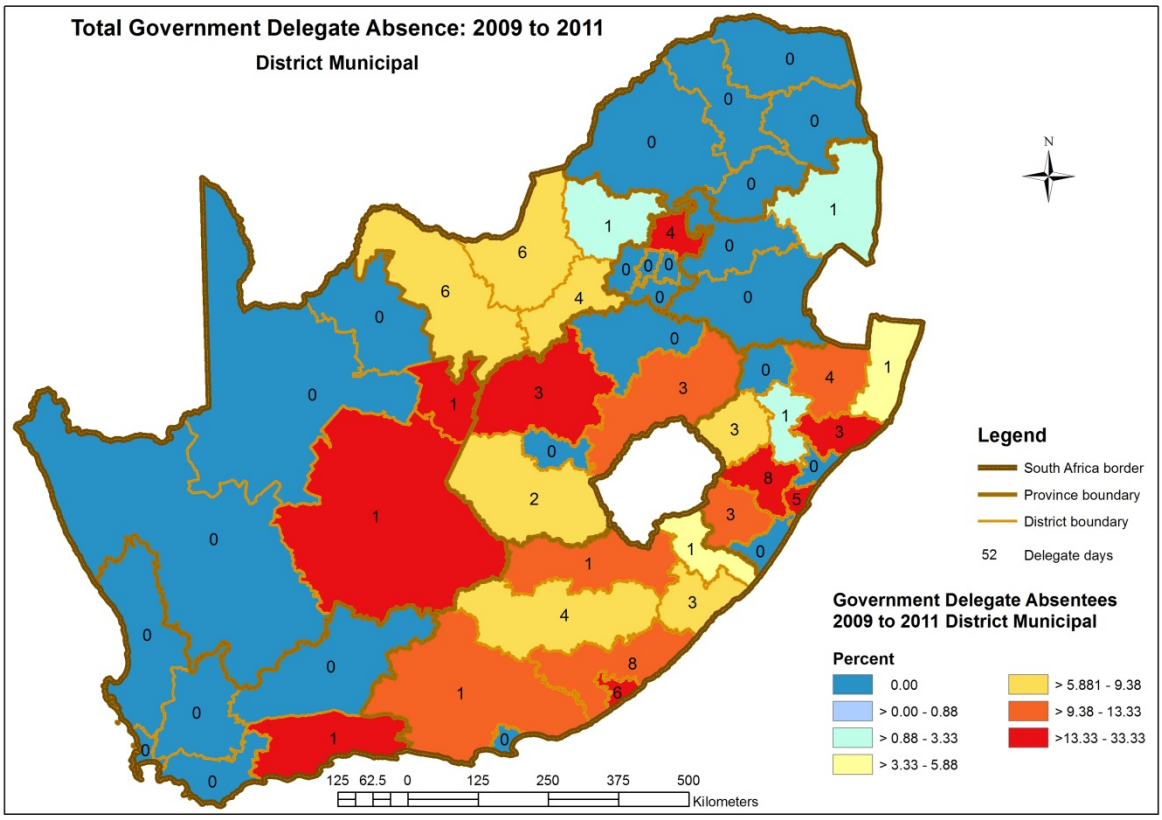

Figure 6.23: Government delegate work areas showing delegate days missed from the 2009 to 2011 workshops

Delegates from 35 of the district municipalities were recorded as not attending all days of the training. This amounts to 177 delegate days missed, i.e. 6 % of the total number. The highest total delegate absenteeism is recorded in two districts (6 % of the districts), Cape Winelands and Buffalo City with 22 and 24 % delegate days non-attendance, respectively. A further three districts have very high absences, City of Cape Town, Lejweleputswa and eThekwini with from 14 to 20 % of delegate days, in increasing order. Moderate absences were recorded from delegates working in 10 districts. This represents 29 % of the areas where absenteeism was noted. Average total delegate non-attendance falls into the moderate absence category. This ranges from about 7 to 9 % of total delegate days missed. Moderately low, very low and minor total absences were recorded from 8 (23 %), 5 (14 %) and 1 (3 %) of the district municipalities, respectively.

In total government representatives missed 85 delegate days of training, i.e. the equivalent of about 28 delegates not attending a workshop. When considering the relative proportions of days missed by trainees over the total number of days missed (i.e. 177) then government delegates make up 48 % of the total absenteeism.

Non-attendance of government representatives was observed from twenty seven districts, i.e. 64 % of the districts with trained representatives. Very high absences occurred in 9, 21 %, and high non-attendance in 6 districts, 14 % of the region. Delegates from 9 districts missed moderate to moderately low percentages of delegate days which affects 21 % of the districts where government representatives are present. Three districts, 7 %, have low to minor absenteeism (Figure 6.23). The average absenteeism falls into the high category which ranges from approximately 11 up to 13 % of delegate days missed from workshops.

NGO representatives missed 77 delegate days of succession planning training in twenty one of the district municipalities. This is the equivalent of 26 people not turning up to a workshop. NGO absence makes up 43 % of the total absenteeism. Non-attendance affected 51 % of the district municipalities where NGO representatives work. The average number of delegate days missed falls in to the moderate category which ranges from 9.5 to 10.3 % delegate days. Very high and high absenteeism was observed for two and six districts, 9.5 and 28.6 % of the districts, respectively. Five districts contain delegates characterised by a low and one district a minor percentage of training days missed, 24 and 5 %, respectively (Figure 6.24).

Absenteeism of faith based organisation representatives was very high. A total of 69

delegate days should have been recorded for the trainees but 15 delegate days were missed, i.e. the same as if 5 of the 23 delegates, or 15 %, had not appeared at a workshop. None appearance of delegates was recorded from two district municipalities, both in the Western Cape. Because so few participants were from faith based organisations trainees make up only 9 % of the total delegate days missed.

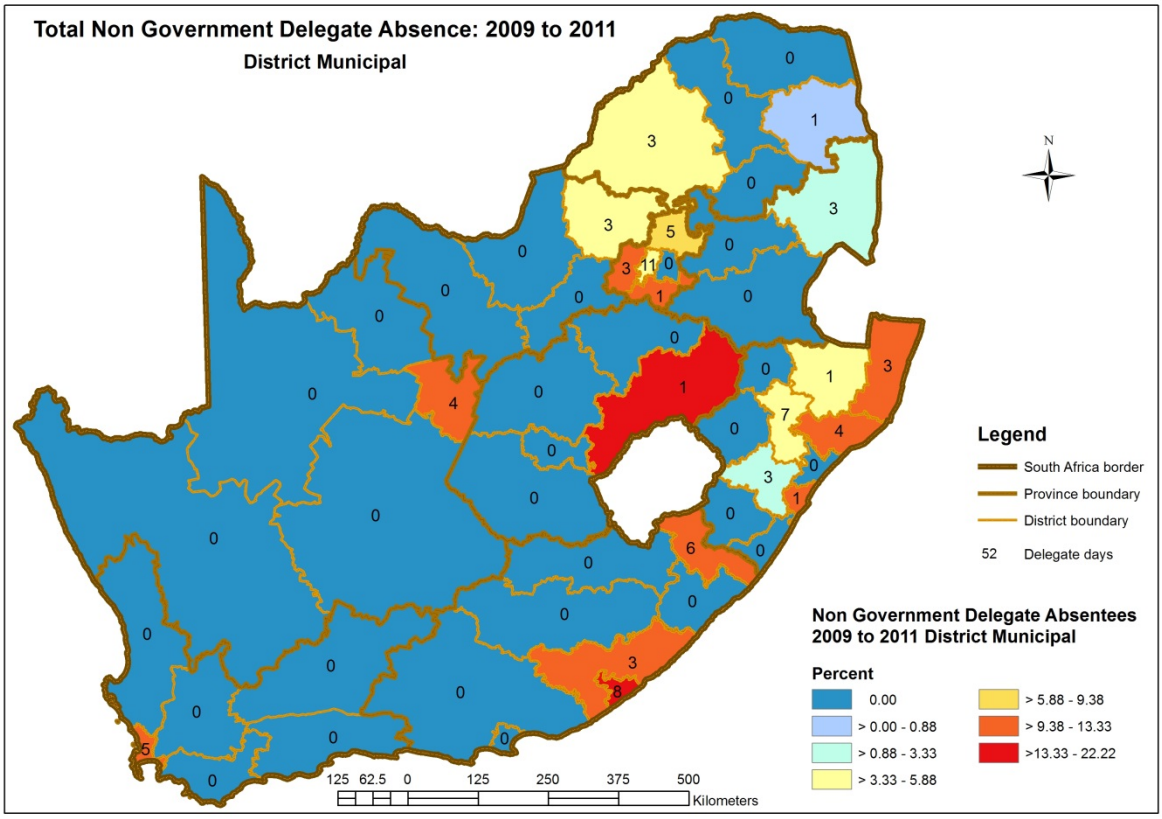

Figure 6.24: Non-government delegate work areas showing delegate days missed from the 2009 to 2011 workshops

6.13 Spatial analyses

GIS has been regarded for some time as an important tool for researchers in the analysis of geographical data in order to gain new insight into complex systems[1126]. In a complex network arrangement, as with the succession planning project, implementation took place at both the high and lower end of the network. The lower end network actors participated in a training programme aimed at developing the capacity of resource people working with OVC in communities throughout South Africa. The multi-dimensional nature of the case study and the geographical placement of both trained resource people and OVC called for the use of a wide variety of unique data sources. As stated in the PEPFAR/USAID document, '(m)aking use of the full data infrastructure

[1126] Burrough, P., McDonnel, R. & Lloyd, C. 2015. *The Principles of Geographical Information Systems,* (3rd ed), page 15.

also requires integrating different data sets so that they can be synthesized and used to support OVC programming decisions. When a geographic identifier is included, GIS can provide the mechanism to manage and integrate the data in the data infrastructure'[1127]. As an integral part of the GIS component of this project, spatial analysis was used to quantify the key measurable outcomes of the succession planning workshops. This meant that it was necessary to establish whether the delegates, who participated in the training programme, worked in the areas where there was the greatest need – in terms of maternal orphan numbers. This in turn would provide a measure of the effectiveness of the training and thus establish the degree of the success of the workshops and the extent of the network of resources created post the training.

6.13.1 Cluster and hot spot analysis

Cluster (autocorrelation) and hot spot analyses were performed to determine whether the service providers and important client areas overlapped. It is only possible to undertake hot spot analysis if service provider (delegate) areas of influence or maternal orphan numbers show clustering. Hot spots are areas of high concentrations of the features being examined and cold spots are low concentrations.

6.13.1.1 Global Moran's I

Moran's I[1128] determines whether patterns show any autocorrelation — clustering. If this is the case then further analyses can be undertaken to determine the type of clustering, i.e. high or low values, and the location of these values.

Analysis of the unmodified 2003 to 2009 UNICEF maternal orphans data (UNICEF 2013a) showed a clustered distribution (Figure 6.25a). The high z-score of 3.1755 shows that there is 99 % probability that the pattern is unlikely to be due to random chance. In the case of the total delegate distribution the z-score of 2.4343 again indicated clustering but the p-value of 0.0149 indicates there is a 95 % probability that this is not due to random chance (Figure 6.25b).

The next step in the process is to run the Incremental Spatial Autocorrelation analysis[1129] in order to determine the best neighbourhood distance to use for hot spot analysis. A series of Moran's I cluster analyses are run at increasing distances. The intensity of the clustering (z-score) is plotted against the distance and where the z-score

[1127] Measure Evaluation. 2008. *OVC Mapping Reference Document*, page 31.

[1128] Allen David, W. 2011, GIS Tutorial 2: Spatial Analysis Workbook. Esri Press, New York, p 257

[1129] ESRI ArcGIS 10.2.1 2014, Help files, How Incremental Spatial Autocorrelation works

shows a distinct peak this is considered to be the optimal distance to use. The peak occurred at 420,364 m for both the maternal orphan data (Figure 6.26) and total delegate distribution.

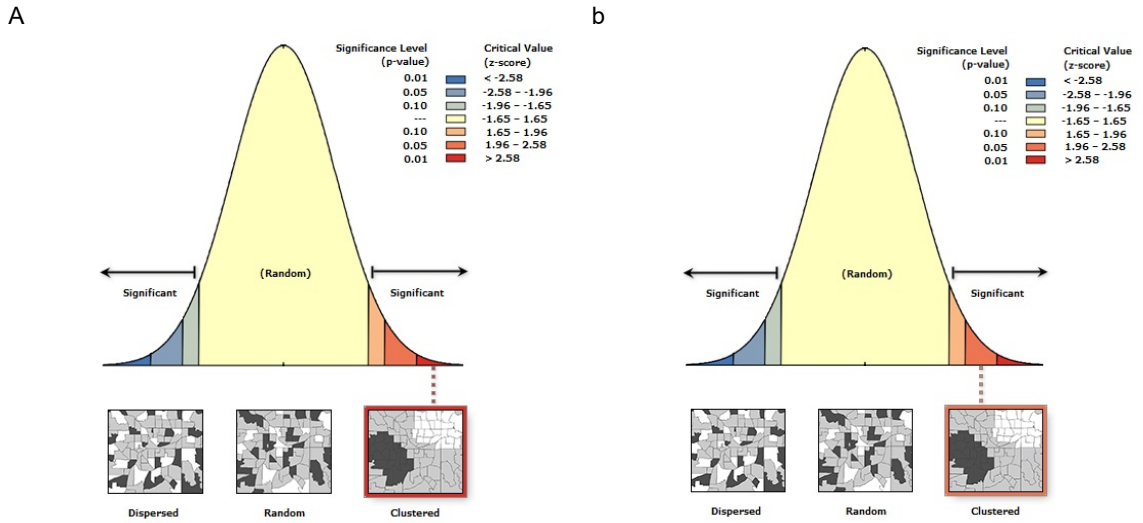

Figure 6.25: Autocorrelation report from Moran's I analysis
a) UNICEF (2013a) maternal orphan data; and b) total delegate data 2009–2011

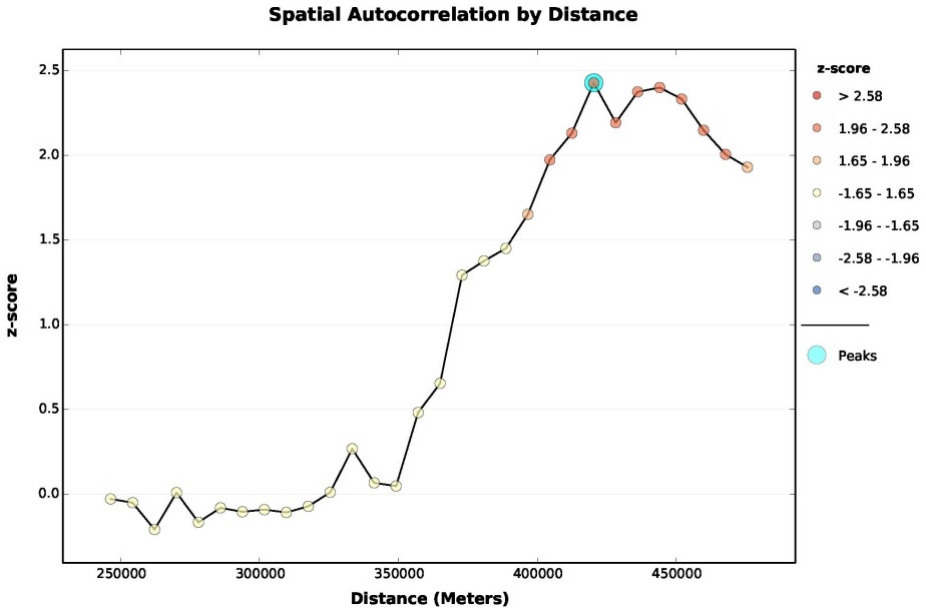

Figure 6.26: Results of the Incremental Spatial Autocorrelation analysis on UNICEF (2013) maternal orphan data

6.13.1.2 Getis Ord Gi hot spot analysis*

As both orphan and delegate data shared the same major peak this was the distance selected for the analysis. Hot spot analyses were carried out on the UNICEF (2013) maternal orphan data and the total number of 2009 to 2011 trained delegates. The Getis Ord Gi* tool in ArcMap was used to run the analyses using the zone of indifference and the distance calculated above. Results are shown in Figure 6.27 and Figure 6.28.

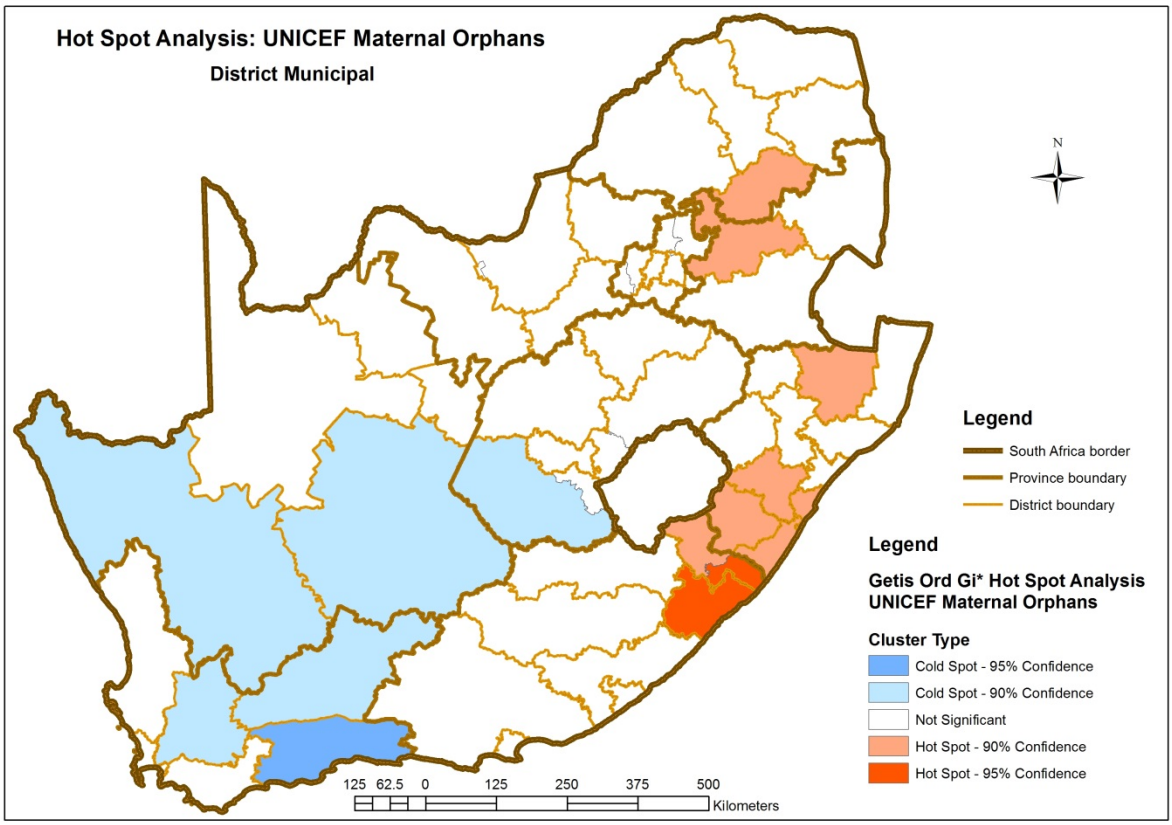

Figure 6.27: Getis Ord Gi* hot spot analysis showing hot spots (red) and cold spots (blue) for UNICEF maternal orphans

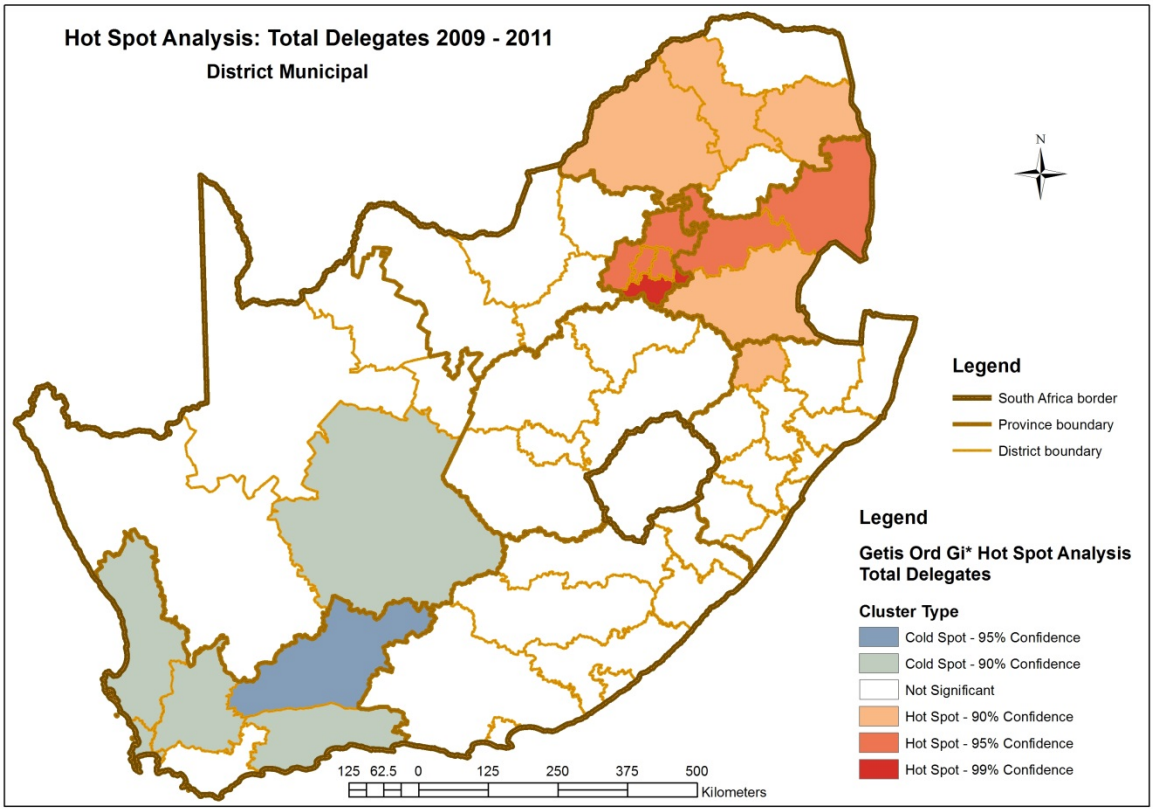

Figure 6.28: Getis Ord Gi* hot spot analysis showing hot spots (red) and cold spots (blue) for total numbers of delegates

Getis Ord Gi* hot spot analysis on UNICEF maternal orphan data and total number of

delegates trained shows a mismatch of target areas although there is some overlap (Figure 6.27 andFigure 6.28). The regions highlighted in red are localities with high incidences of orphans or delegates. Similarly the cold spots, blue shaded areas, are localities with significantly low counts of orphans or delegates. There is clear mismatch between orphan (Figure 6.27) and delegate (Figure 6.28) key areas.

6.13.2 Orphan counts for 2011 administration boundaries

In order to carry out analyses on orphan distribution and compare succession planning delegate numbers more clearly the 2003 to 2009 orphan numbers were modified to fit the 2011 boundaries. This results in an estimation of the probable maternal orphan population in the areas where boundary changes occurred. To determine the accuracy of the modification more recent counts of the maternal orphans are necessary.

The modified maternal orphan distribution is based on the change in the area proportions. The original area of the 2010 Southern District and the area that was added to West Rand, Gauteng were calculated and the ratio of West Rand portion to the total Southern District area was determined. This ratio was multiplied against the number of orphans in the Southern District to give the proportion of orphans in the smaller area. The absolute number was used and added to the Gauteng, West Rand total to give the total for the 2011 West Rand. This number was subtracted from the Southern District count and the remainder gives the number of maternal orphans in the new, 2011, Dr Kenneth Kaunda district municipality. Similar calculations were used to determine changes in maternal orphan counts in:

City of Tshwane and Metsweding, Gauteng;

Motheo to Mangaung, Thabo Mofutsanyane and Xhariep, Free State;

OR Tambo to Alfred Nzo, Eastern Cape.

The modified distribution of maternal orphans to the 2011 administrative boundaries is shown in Figure 6.29. The percentage of orphans is used to shade the districts and total counts are shown on the map. The shades increase in intensity from low percentages (pale yellow) to the extreme problem areas (dark brown).

Buffalo City was newly created in 2011 and is an area subtracted from the 2010 Amathole district in the Eastern Cape. In most cases the metropolitan municipalities tend to have a higher proportion of maternal orphans than the neighbouring district municipalities. Indices based on the ratio of orphans in Nelson Mandela Bay to

surrounding Cacadu and eThekwini to surrounding districts were calculated and used to estimate an index for Buffalo City and Amathole. The indices for Nelson Mandela Bay and eThekwini are 4.7 and 0.9, respectively. The index estimated for Buffalo City is 3.5. This was multiplied against the estimated proportion of orphans for Buffalo City to determine the final orphan numbers for Amathole and Buffalo City.

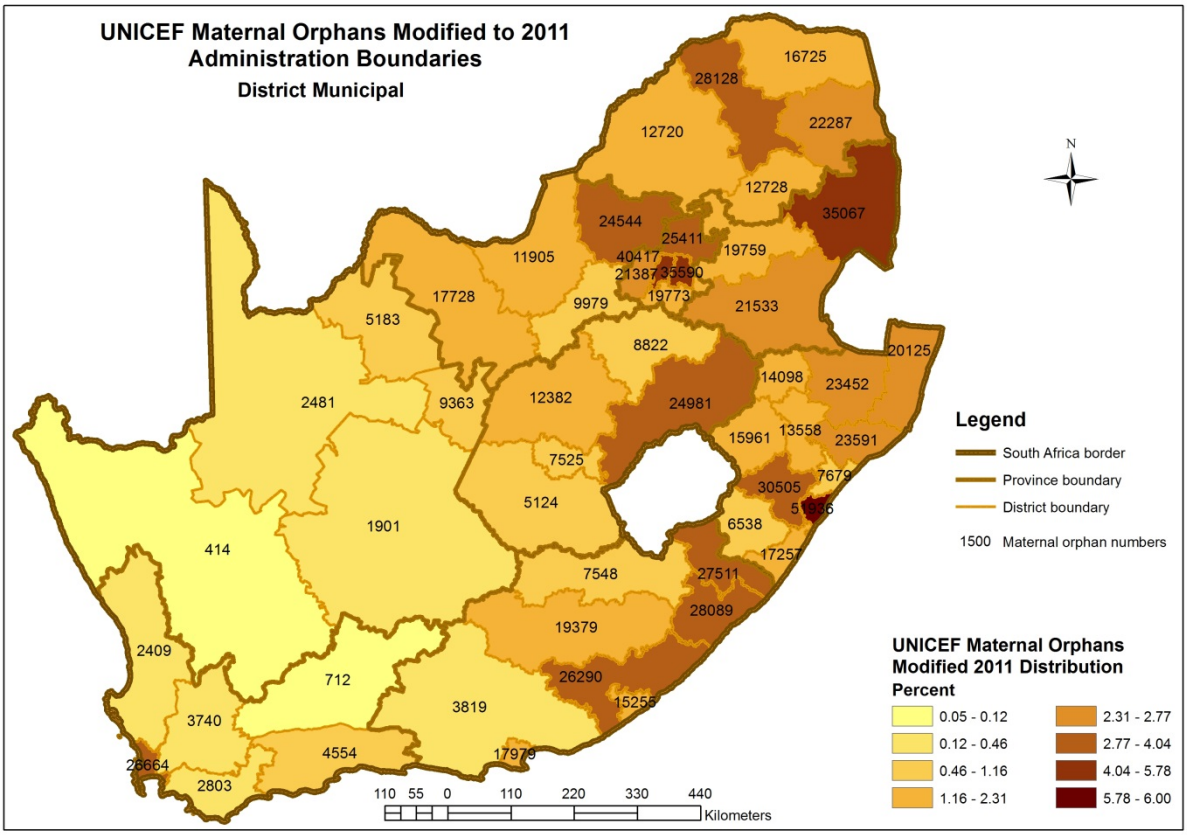

Figure 6.29: Modified maternal orphan distribution showing 2003 to 2009 distribution on 2011 administration boundaries
Data from UNICEF[1130].

6.13.3 Weighted analyses

Weighted indices are developed as a method to show how effectively the delegates can use their training. Follow up evaluation of the project success and extent to which succession training is used by delegates in their work areas needs to be undertaken to determine the predictability of this approach.

Index analysis is based on the number of days delegates attended the workshops. Workshops generally ran for 3 days. Indices were calculated based on a range from 0 to 1. Delegates who attended all 3 days were given an index of 1, those who attended two days, an index of 0.5 and only one day, an index of 0.1. The indices were multiplied against the number of delegates who attended the relevant number of days of the

[1130] UNICEF see 1116.

workshop resulting in indices for each category and a total weighted by index for all districts. The total number of delegates who attended the workshop was calculated for each district municipality to create an expected delegate turnout. This was used as a reference against which to measure the reliability of the actual delegates' attendance.

The results of the reliability indices versus expected delegate turnout was calculated to indicate the reliability of the training. As the reliability index for full training session attendance is 1 the ratio to the expected turnout means that the number of delegates is equal to that of the calculated index. The unreliability index of the delegates is shown in Figure 6.30. This is the reverse of the reliability index.

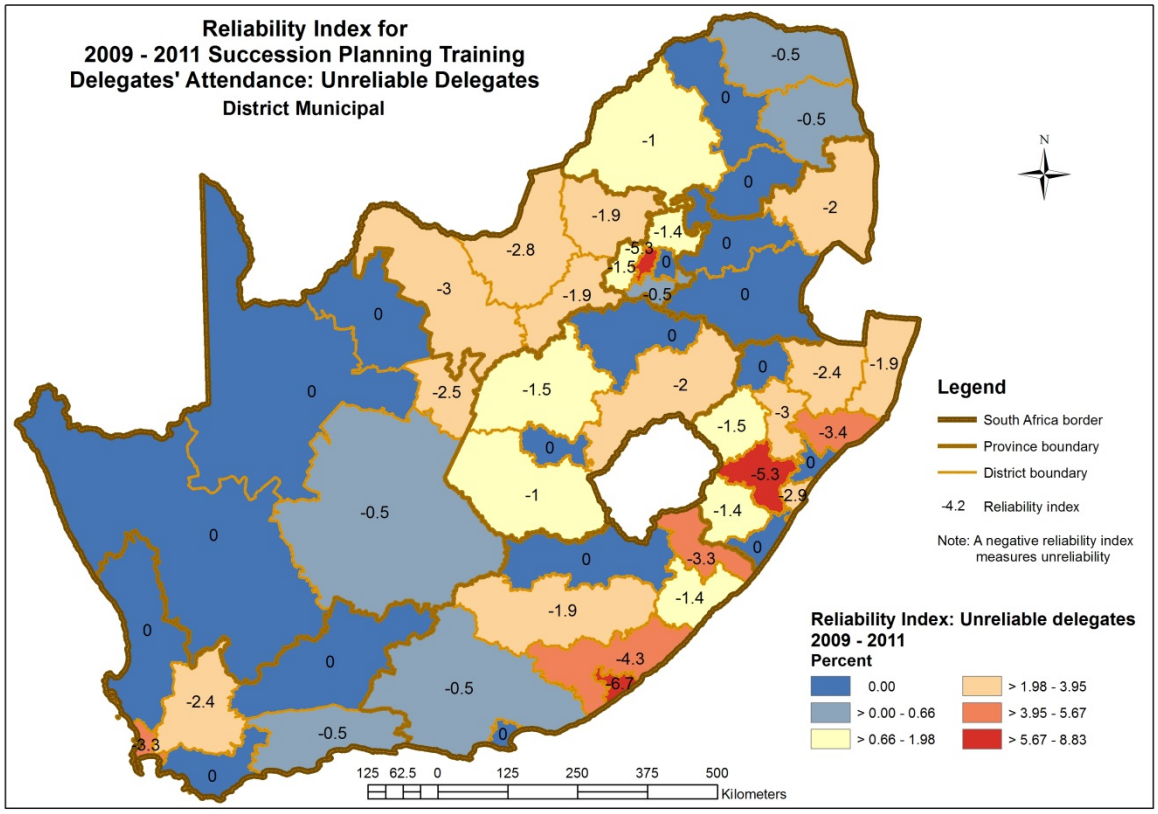

Figure 6.30: Choropleth map of delegate unreliability index

The district municipalities where delegates are most likely unable to help their clients were calculated by summing all delegate indices, the total subtracted from the expected delegate turnout and the percentage calculated. This was plotted and is shown in Figure 6.30. The difference between the total absentee indices and the expected turnout index are shown in each district. The numbers are negative as there is incomplete workshop attendance. The size of the number decreases and the shading increases, cream to red, with increasing absenteeism. This provides a measure of how unreliable the delegates are in their ability to aid OVC. Unreliability ranges from zero, which in the case of the Overberg district municipality means no trained delegates but

in all other areas means 100 % attendance, up to a minimum reliability index of -6.7 in Buffalo City which represents 11 of the 21 delegates absent for 1 or 2 days of the workshop. Areas in blue shading are equivalent to the delegates that attended the workshops full time they therefore have zero unreliable delegates. Pale blue represents areas with relatively low levels of unreliable delegates but districts with increasing unreliability grade from cream to red with the latter highlighting the maximum unreliability index i.e., partially trained delegates who are least able to assist their clients or may even provide incorrect or misleading information.

6.13.4 Recommended minimum delegates

To establish whether the succession planning training has prepared sufficient trainees to help clients in each district municipality a minimum recommended number of trained delegates was calculated. Assuming 1 trainee per 1000 maternal orphans is acceptable then the minimum recommended requirement can be determined (Figure 6.31). A more realistic minimum would probably be 1 reliably trained delegate per 500 maternal orphans (Figure 6.32).

The calculated recommended minimums are subtracted from the reliably trained delegates (100 % attendance) and the difference mapped (Figure 6.31 and Figure 6.32). Areas in white are where the minimum requirement has been matched by the numbers of people reliably trained. Yellow to red areas are where the minimum recommended numbers have been exceeded and the increasing intensity of shading shows an increase in the number of delegates above the recommended minimum. The pale blues to deeper blue areas show the opposite. These are the areas where there is a shortfall of reliably trained delegates. The shortfall is greatest in the district municipalities with the darker blue shades. Positive numbers in each of the district municipalities indicate the number of delegates that exceed the minimum recommended while negative numbers show how many delegates are lacking in that area. Zero shows that the number of delegates have been matched for the district.

The minimum recommended requirement of 1 delegate per 1000 maternal orphans is shown in Figure 6.31. The western, northern, and small regions in the northeast, south and southeast of the country have in general met the minimum or exceeded it. These areas include the Northern and Western Cape and North West. Shortfalls are located in the northeast, central, east and southeast of the country, i.e. predominantly KwaZulu-Natal, Eastern Cape, Gauteng, with the exception of the City of Johannesburg, Free

State and parts of Mpumalanga and Limpopo.

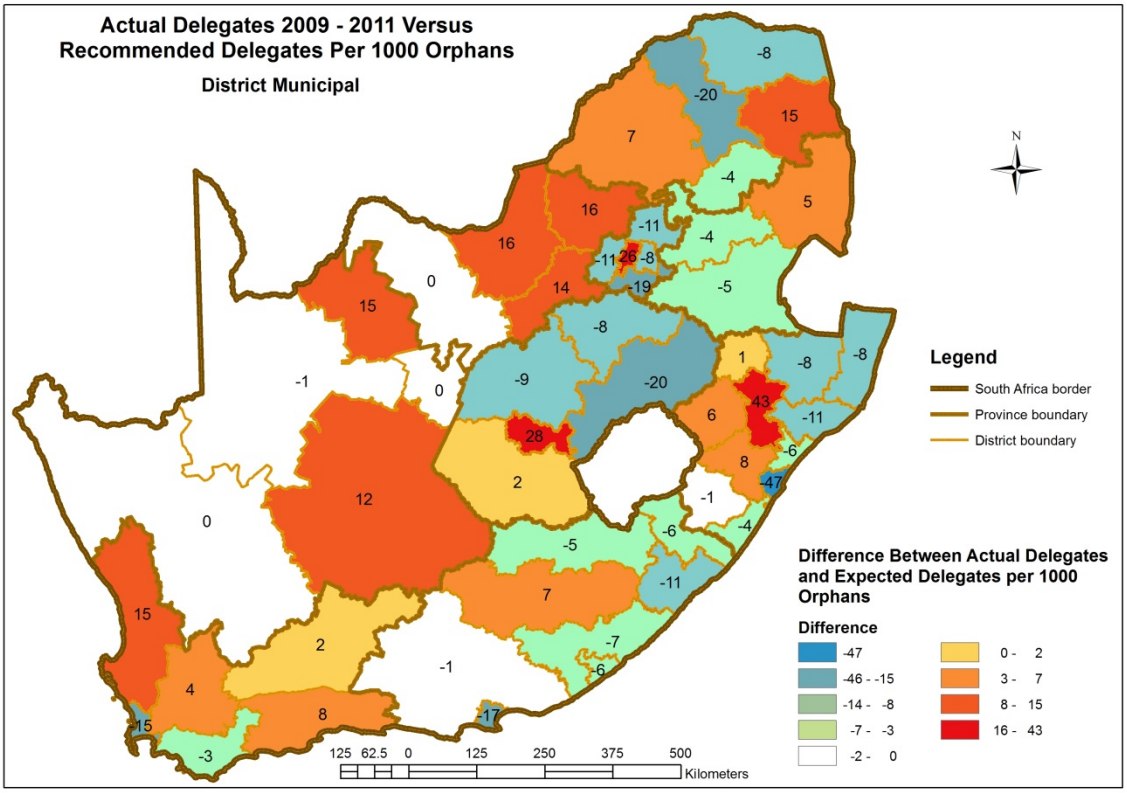

Figure 6.31: The number of reliably trained delegates versus the recommended minimum number of delegates per 1000 maternal orphans

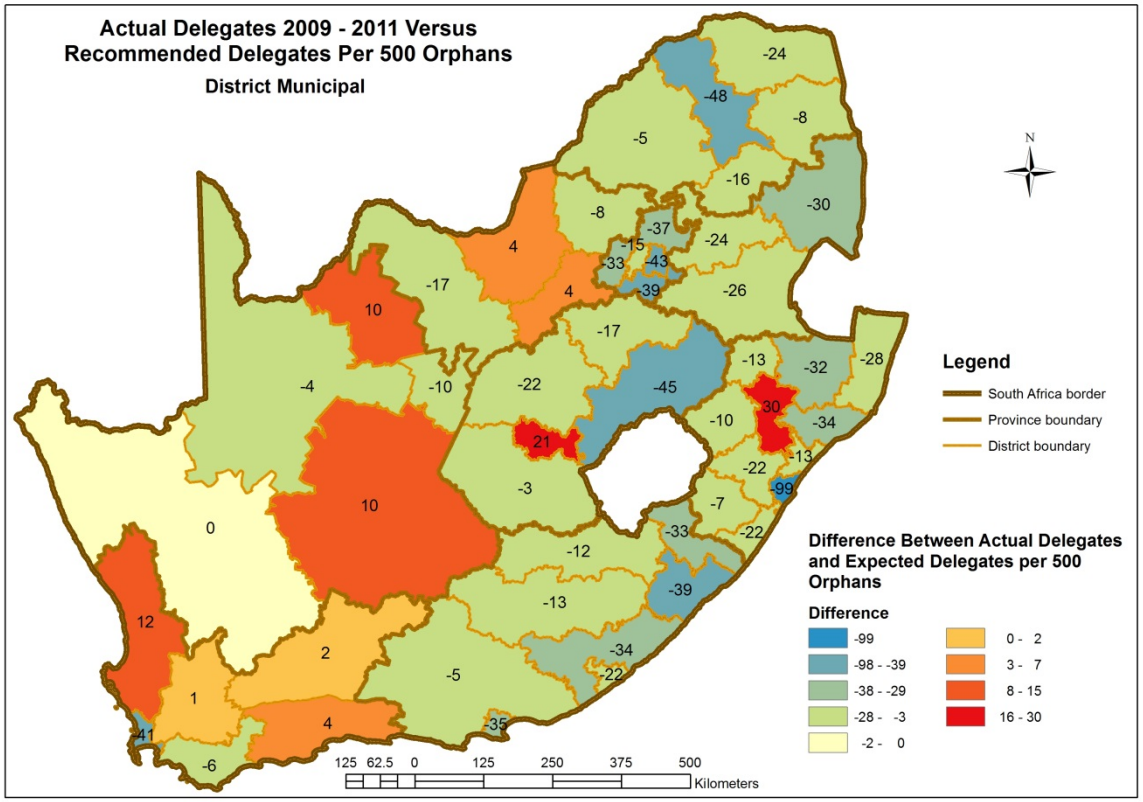

Figure 6.32: The number of reliably trained delegates versus the recommended minimum number of delegates per 500 maternal orphans

The better option of 1 delegate per 500 maternal orphans is shown in Figure 6.32. One

district municipality, Namakwa, has met this constraint. Again districts in the western part of the country exceed the requisite numbers as do some isolated districts in the north, centre and east of the country. However most districts in the centre, north east and south show a shortfall. The most conspicuous shortfall of delegates is eThekwini. Both options highlight this district.

6.14 Implementation network

A choropleth map of the distribution of the delegates and their numbers show the network actors created at the lower, implementation end, of the network.

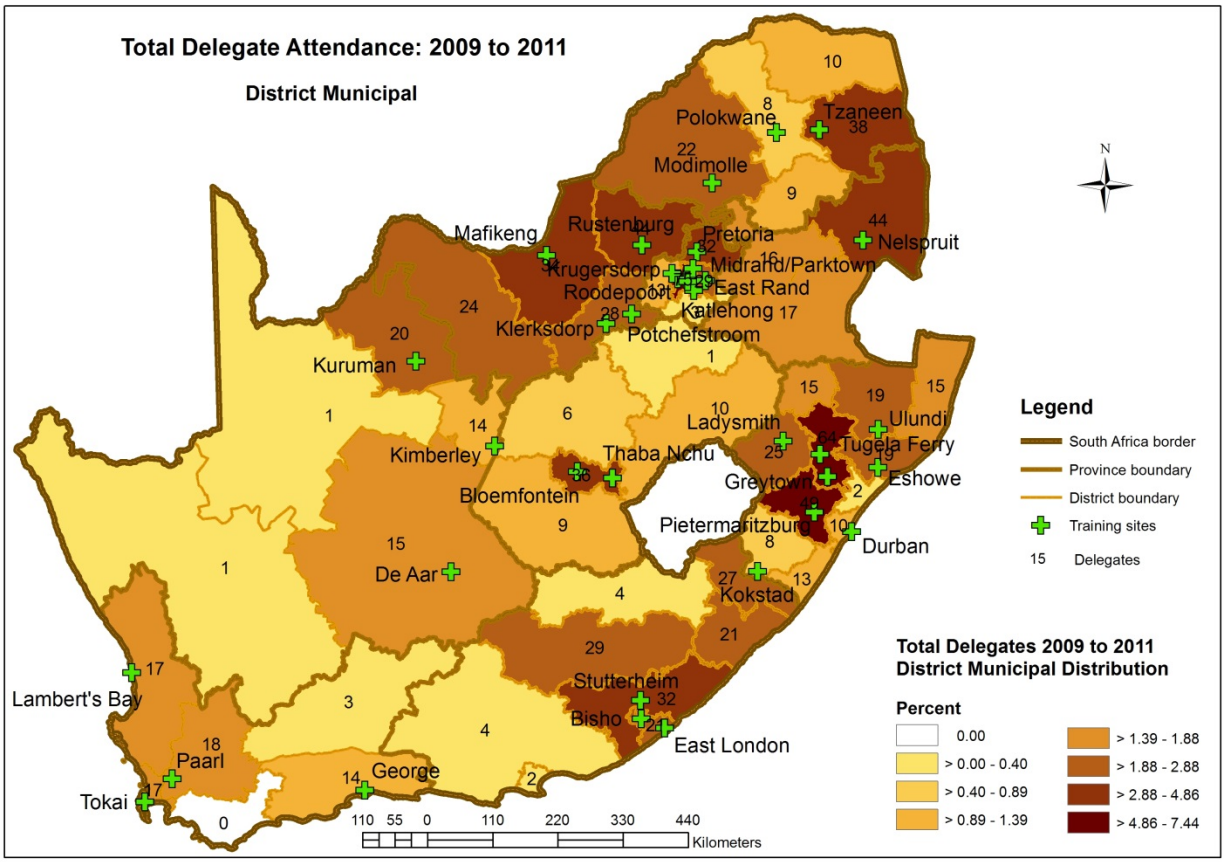

Figure 6.33: The lower end implementation network

Network nodes for the delegates are the location of training sites, shown as a green cross. These sites are temporary but link to the trainers who in turn link to the project service provider in Durban and ultimately to the project manager in Johannesburg (Figure 6.33). The implementation network extends throughout South Africa in every province and all district municipalities with the exception of Overberg in the Western Cape.

6.15 Concluding observations

A key finding of the GIS analysis is that implementation of the succession planning project can be quantitatively measured and results evaluated. In addition the distribution of the lower level implementation network can be visualised. Numbers of trained government, NGO and faith based organisation representatives are shown along with their areas of influence. These results can be measured against the backdrop of their target audience, the orphans and vulnerable children, as represented by maternal orphan statistics.

An important requirement of the succession planning project was to meet the objectives of NAP 2009-2012 to train NGO's and other service delivery agents in order that they may assist OVC. This objective was partially met. Government, NGO and FBO and representatives trained are located in every province in South Africa and in all district municipalities with the exception of Overberg in the Western Cape. Trained Government and NGOs are located in 41 of the 52 district municipalities. They overlap in many areas but also fill in areas missed by each organisational category. Faith based organisation representatives are located in 3 districts.

Another requirement of the NAP was to establish whether those trained were appropriately positioned to capacitate and assist communities where OVC were prevalent. A comparison of maternal orphan frequency distribution with that of all delegates shows that although there is an approximate match of high delegate numbers with key orphan problem areas, in detail there is a mismatch. The delegate-orphan match was not well targeted.

In addition attendance at workshops impacts on the reliability of trained representatives. Workshops ran over 3 days so where only one or two days were attended, the delegates are not fully capacitated to use succession planning training to assist their target audience. This aspect is quantified by using a reliability index and the distribution and location of reliably trained delegates is shown.

This is further evaluated by determining a minimum required number of trainees per 1000 or 500 maternal orphans and comparing the reliably trained delegates to the recommended number. Regions that have a shortfall of trained delegates have not been fully capacitated. Based on the recommended minimum per 1000 delegates then 25 districts did not meet this requirement as opposed to 41 districts if the minimum requirement of one delegate to 500 orphans is used. This analysis provides a quantified measure on the impact of the succession planning training on the community and the

actors involved.

The succession planning project was completed in April 2011 and once again comments made were complimentary and supportive of the project and its content. Much of the feedback from participants and DSD coordinators was that more workshops of this kind were desperately needed. With respect to the future of succession planning training in terms of NAP 2013-2017 the priority of the training programme has changed and most of the follow up training that has happened took place through initiatives of NGO and individual DSD coordinators and their NGO affiliates.

6.16 Phase 5: Confirmatory workshops

After the succession planning project was completed in March 2011, a small number of workshops, on succession planning, were requested by NGO groups who wished to provide similar training to their staff members. The workshops were requested as a result of certain staff members, from these organisations, being exposed to the training either in the pilot or in the roll-out phase of the training workshops. In the succession planning project these training workshops were referred to as confirmatory workshops as they took place post the training roll-out and outside of the network structure.

Several confirmatory workshops were also provided to a number of organisations who were working in partnership with the Street Law (Wits) programme. These organisations were an inherent part of the Street Law (Wits) course, where student facilitators were responsible for running a number of training programmes throughout the year of the course. In this context the succession planning training was a component of the overall training programme that covered a variety of subjects ranging from family law, criminal law, consumer law and human rights and democracy.

The larger projects, which are mentioned here, were offered to two non-profit-organisations who were affiliates of NACCA and UNICEF. These organisations, Heart Beat South Africa and the National Association of Child and Youth Care Workers (NACCW) were responsible for training and mentoring community careworkers, working with OVC, in rural and urban areas, throughout South Africa. The relationship was a formal, contractual agreement between the NPO and Street Law (Wits) and did not operate within a networking structure, although introductions were made through both DSD (Heart Beat) and UNICEF (NACCW). As a result, once the training was completed, in June 2012, and a further 120 delegates had been trained the relationship

ended. This ultimately marked the end of the succession planning project and the end of the relationship that Street Law (Wits), with respect to this project, held with both DSD and UNICEF.

6.17 Conclusion

In this chapter the succession planning project was studied and analysed in a cumulative manner utilising the policy network approach as the lens through which each phase of the implementation process was examined. The chapter commenced with a descriptive overview of the first three phases as set down by NAP 2006-2008. During the early, foundational phase of the project, needs were established and training materials were developed and piloted (Phases 1-3). The final phases of the project consisted of phases 4 and 5: the roll-out of training (Phase 4) and made up of two roll-out periods — 2009 to 2010 and 2011; and, Phase 5 consisting of two confirmatory, follow-up workshops held outside the network arrangement for a brief time period.

Phase 4 was examined from a qualitative and quantitative perspective. The qualitative part of this phase looked at actor interactions within the network structure examining: 1) the network organisation, with respect to roles, structure and management; 2) the actors themselves, their perceptions, views and the influence of their institutional culture. The quantitative part of this phase used a geographical information system (GIS) to both visualise the spread of the network within South Africa and provide a measure of the impact that such a study has on the problem under investigation.

During the early project phase implementation was relatively smooth with limited interruption. This was attributed to actor interaction being carried out in a close, frequent manner similar to that of the Marsh/Rhodes notion of a close policy community where there is limited and stable participation. This tight, close structure changed during the pilot and roll-out of training where the inclusion of additional network members introduced uncertainty, moving closer along the continuum to resembling an issue network. In such structures, uncertainty and a sense of loss of control can be attributed to the inherent complexity of a multi-level, multi-actor process where the diversity of actor perceptions and influences introduces the potential for confusion and conflict[1131].

In a networking arrangement it is important to realise that actors are mutually dependent needing to cooperate in order to realise their common objectives or

[1131] Klijn, E. & Teisman, G. 2005. 'Institutional and Strategic Barriers to Public-Private Partnerships: An Analysis of Dutch Cases', *Public Money and Management,* page 2. See also chapter 2 page 39 for description of policy community and issue network.

goals[1132]. When managing a network there are a number of coordinating strategies available that encourage actor interaction and enhance network coordination[1133]. Thus, the classical management style of centralised control with an individual or few individuals at the top having a 'disproportionate influence over the group's processes, decisions, and ...outcomes'[1134] is an anathema in a network structure[1135] as was indicated during the roll-out of training.

During implementation, strategies adopted were ill-suited to coordination within a network, resulting in common and recurring problems emerging throughout the pilot and training roll-out. A key cause of the ongoing problems could be attributed to the failure of high end actors to appreciate that project implementation needed to take place within a network type of arrangement. This oversight resulted in mixed conceptions about the choice of strategies suited to coordinating a variety of actors and processes. Koppenjan and Klijn highlight strategies such as[1136]: improving the mutual perceptions of actors; creating organisational arrangements to maintain actor interaction; and, introducing means to assist in improving network interaction and supervision[1137]. Additionally, in spite of the multi-level, multi-actor involvement, a traditional centralised form of management was favoured by both service providers in the pilot and training roll-out (Phases 3 and 4). This approach lies in direct contrast to the requirement that a network manager needs to adapt to working with a diverse mix of actors, often being seen as network facilitator because of the role he/she plays.

The learning gained during the pilot should have determined the manner in which training roll-out would proceed. Initially this appeared to be the case where prior to training roll-out, certain key tasks were identified, clearly illustrating that 'no one actor had the power to control other network actors'. The project manager, from Street Law (Wits), was expected to work in collaboration with UNICEF, the reference team and the National Organisation. However, during roll-out it became apparent that the project manager's role was simply in title only, with the National Organisation taking on project management as well as overseeing the administration of the project. The National

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[1132] Klijn, E. 1997. 'Policy Networks: An Overview'. In: W. Kickert, E. Klijn & J. Koppenjan. 1997. *Managing Complex Networks: Strategies for the Public Sector,* page 31.

[1133] Kickert, W., Klijn, E. & Koppenjan, J. 1997. 'Introduction: A Management Perspective on Policy Networks'. In: W. Kickert, E. Klijn & J. Koppenjan (eds), *Managing Complex Networks: Strategies for the Public Sector,* page 11.

[1134] Anderson, C. & Brown, C. 2010. 'The functions and dysfunctions of hierarchy'. *Research in Organisational Behaviour*, doi:10.1016/j.riob.2010.08.002

[1135] This does not mean that the shadow of hierarchy is excluded see Börzel 2011.

[1136] Klijn, E. & Koppenjan, J. 2000: 'Public Management and Policy Networks', *Public Management: An International Journal of Research and Theory*, 2 (2). 135-158.

[1137] Klijn & Koppenjan see note 1136.

Organisation was inherently authoritarian and as an NGO, established during the mid-80's, was used to receiving and operating on grant funding. When entering into this project it had a limited understanding of the current relationship between the key actors and of the project history, this lack of historical understanding was never addressed. Thus the National Organisation elected to operate in a 'business as usual manner' and adopted the duties of project management for itself in order to retain primary control[1138].

The project management role adopted by the National Organisation exacerbated an already complex situation, adding to the uncertainties inherent in a networking arrangement. It highlighted the impact that perceptions can have on network functioning particularly when misperceptions fail to be addressed or are not acknowledged as a contributing factor, causing blockages or breakdowns within a network environment.

The National Organisation's misperception of its position — related to other network actors (within the project) — and its decision to operate outside the network, meant that very little network management took place, with an equally limited level of accountability occurring (iterative process ignored). As a result much time was spent, particularly during the first roll-out of training, dealing with misperceptions, blockages and conflict. Without appropriate network coordination, the interaction between various network actors was neglected and thus limited. Much of the interaction took place in small pockets outside the network and often in response to problems that arose out of miscommunication between the National Organisation and other network actors. This impacted negatively on the development of trust between the various actors, particularly affecting the project manager and some DSD coordinators. Thus the National Organisation's desire to steer the process centrally introduced a high level of distrust within the network, directly influencing the ability of actors to share information, limiting actor cooperation and ultimately impacting network coordination.

Ordinarily, in circumstances of excessive or inappropriate use of power by one of the network actors, certain checks and balances can be used to constrain the behaviour. O'Toole[1139] states that 'those seeking to influence networks toward cooperation often need to attend to their strategic contexts and not merely seek a common rationale to unite disparate actors. They will need to look for acceptable compromises, convince participants to alter perspectives and invoke the shadow of governmental

[1138] This may also be due to the fact that the National Organisation had no previous experience of working within a network structure and thus failed to see the relevance of the project manager.

[1139] O'Toole, Hanf & Hupe see note 1108 at 150.

intervention'[1140]. However, in spite of the authority held by DSD and UNICEF, they failed to acknowledge both the seriousness of the emerging situation and their own position of authority within the network. This resulted in an omission, by both actors, to devise strategies whereby they utilised their position and their power appropriately.

This study was a study of the way in which actors came together to implement certain policy objectives. In spite of the many challenges and the complexities encountered during implementation, the succession planning project was able to successfully meet its policy objectives as set down in NAP 2006-2008 and 2009-2012. In this context it delivered on the programme objectives and although the impact of the target areas identified was not necessarily well considered many of the service providers trained were identified, through GIS analysis, well placed to work in key target areas.

Therefore in terms of the project, it can be said that the policy objectives/outcomes were well met, unfortunately during implementation many of the strategies adopted, through roll-out, were generally ineffective for use in a network setting. As a result, interaction between actors was unnecessarily and negatively interfered with, thus introducing blockages and fixations, which impacted on the ability of the actors to work together in a cooperative and collaborative manner and inevitably impacted on the network structure itself.

[1140] O'Toole *et al.*

Chapter 7 : The Children's Act Project

7.1 Introduction

This case study, introduced in Chapter five, examines the smaller, less well- resourced children's act project, illustrating the value of adopting a dual case study research design. Through utilising two case studies in the dissertation, opportunity is provided for a comparative analysis and the potential to corroborate issues and trends that were first identified in the case study on the succession planning project. Both case studies share certain fundamental similarities as they were initiated and supported by UNICEF acting in partnership with DSD in order to implement policy plans and programmes aimed at the protection and care of vulnerable children.

The two sites were therefore seen as ideal for a study on policy implementation in a network setting, demanding a level of assessment and analysis which was multi-layered, calling for an in-depth exploration of the substance of the interactions taking place at various levels of network engagement. The research design, informed by the research questions, was able to utilise multiple sources of evidence within both case studies. In the children's act project data was gathered primarily from documentary sources such as: email communication; minutes of meetings; reports — academic and programmatic — and observation. In addition one-on-one interviews were held with actors from HPCA and Cotlands.

The initiative to develop a child-friendly version of the Children's Act was driven by UNICEF and DSD and the decision was based on the notion of encouraging greater child participation, as set down in both international and national law. Because the intention was to develop a booklet or series of booklets, it was anticipated that the project would run for a period of 2 to 3 months and involve a core group of relevant actors. As a result, a limited number of resources were required for the project, thus reducing the complexity that is often inherent in a multi-actor process.

This chapter focusses on the steps followed, from development of the booklets, to the pilot training programme and onto the later training roll-out, whilst examining actor interaction and network coordination using the policy network approach as a measuring stick and answering the questions posed in the research study. As with the succession planning project (section 6.1), the children's act project proceeded through a number of distinct phases: 1) planning and conceptualisation; 2) research, design, and development of booklets; 3) pilot of training workshop and evaluation; 4) training

workshops roll-out; and 5) confirmatory follow up (further workshop follow up).

7.1.1 Motivation for a child friendly initiative

Viviers of UNICEF points out that the development of materials such as the child-friendly version of the Children's Act increases opportunities for children to participate in their own decision making[1141]. With easy access to legal information that is often couched in language that alienates most adults, the child friendly version of the children's act demystifies legal concepts into an easy to read, illustrated booklet form.

Yet simply developing child-friendly versions of law or policy is not enough to address the vision for greater child participation. Capacity building at this level calls for developing an increased awareness and understanding of the relevance and usefulness that such information will have on the lives of children and their caregivers. It is argued here that the next phase in a project such as this is to inform people about the materials that have been developed and to train them in the use of these materials. In this way an enabling environment can begin to be created where the rights of children are understood, supported and utilised.

The following section introduces the approach adopted during implementation of the project. Based on a belief that the development of a child-friendly version of the Children's Act is the first step in a two part process, this project was therefore divided into two parts. The first part focussed on the process followed in planning the project and developing the booklets (Phases 1 and 2). In this part an examination was made of the iterative process adopted by DSD, UNICEF, Wits Enterprise and Street Law (Wits).

The second part examined the training programme that was developed founded on the three booklets — the pilot and training roll-out (Phases 3 and 4). This part took place in collaboration with three interdependent organisations, Street Law (Wits), Hospice Palliative Care Association (HPCA) and Cotlands Children's Hospice (Cotlands). During this part of the project the focus was on introducing and training adults in specific sections of the Children's Act through the use and guidance of the child-friendly booklets. The adults who were trained were employees of Cotlands — a community development organisation working with young children in the palliative care context. Cotlands became involved in the project because of: 1) its close ties, as an organisation

[1141] Viviers, A. 2010. *The Ethics of Child Participation*. Pretoria: University of Pretoria. (Master of Social Work Dissertation).

affiliated with the Hospice Palliative Care Association (HPCA); and 2) its express need to increase and develop the awareness of key staff members on the Children's Act.

7.2 Phase 1 of Children's Act Project: Defining objectives, selection and activation of key actors

In a network setting actors are mutually dependent, needing one another in order to achieve their goals. In this project actors from DSD, UNICEF, Wits Enterprise and Street Law (Wits) came together in terms of the child-friendly initiative to negotiate and develop strategies in order to work together and achieve objectives. As the actors interacted in the early phases of the project, patterns emerged and a network was formed. This section of the thesis sets out to map the events that are identified as essential in the formation of a network around a substantive policy issue such as the child-friendly initiative.

In a collaborative process between the four actors, a series of three booklets were developed. As lead organisations in the project DSD and UNICEF were obligated, in terms of the CRC and the Constitution, to ensure the rights of all children in South Africa were protected and that the standard of the best interests of the child was upheld. In terms of the child-friendly initiative, the objective was to translate the Children's Act into an easily readable booklet or series of booklets in order to take the message of the law to children. The plan was that UNICEF, in collaboration with DSD, would oversee the overall project and ensure that it was in line with the expected outcomes of both lead partners involved.

DSD also intended for the booklets to be printed and ready in time for the launch of the Children's Act, which they assumed would take place early in 2009. Although, at the commencement of the project, the final date for the launch was uncertain, UNICEF had set a timeline of 7 weeks for completion, after the signing of the agreement between UNICEF and the service provider[1142]. The initial stages leading up to the children's act project were a formal consultative process between DSD, UNICEF and the service providers — Wits Enterprise and Street Law (Wits).

During these early negotiations time lines were renegotiated to accommodate the needs of all parties, based on a request by Wits Enterprise who questioned the

[1142] The comment made by UNICEF regarding the setting of such a tight time line was that '7 weeks was based on information sourced from other people doing this kind of thing'.

feasibility of the initial timeline in terms of the broad project requirements. As said by Wits Enterprise, 'Our main concern is the consultation process with other stakeholders, as this aspect is key to the project. …' [1143]. In the discussion it also became clear that DSD want the content and style of the booklets to target, appeal and relate to all children, irrespective of age, race, nationality… and should also consider adults'[1144]. After much negotiation around the main deliverables, taking into account the needs and concerns of all actors in the network, project deadlines were set as:

1. November 2008 – Deliver conceptual design, provide outline of chapters and sample of text and of illustration to be used;
2. December 2008 – Deliver first draft - to be commented on by 17th December;
3. January 2009 – Deliver second draft having incorporated comments for proof reading – comments due by 19th January;
4. January 2009 – Deliver final print-ready version by 26th January[1145].

These dates were based on the confirmation by DSD to UNICEF that the Minister had set the 1st February 2009 for the implementation of the Act. DSD also assured UNICEF that there would not be any delays on their side and that printing would be carried out by DSD's communication section, 'who have 'fine-tuned' their processes and can work quickly'[1146]. To ensure that there were no delays on the part of the various actors a number of checks and balances were put in place, including the requirement for frequent progress updates and one-on-one meetings with all relevant actors to be held at the offices of DSD.

Because of the mutual dependency of actors in a network, the frequency of the interaction between actors, if facilitated appropriately, contributes to strengthening actor relationships which assists in network coordination. The frequent updates and one-on-one meetings with actors encouraged an increased level of actor interaction and also provided opportunities for actors to learn from one another.

7.2.1 Planning and conceptualisation of the children's act project

Prior to project implementation, a planning meeting was held on the 24th October 2008.

[1143] E mail from Wits Enterprise to core network actors, dated October 2008.

[1144] Summary of discussion held with DSD and UNICEF dated 7th October 2008.

[1145] Summary see note 1149.

[1146] Email from UNICEF to service provider dated 14 October 2008.

At this meeting the parameters of the project were discussed with the core network actors. Unlike the situation in the succession planning project, representatives of all relevant stakeholders were invited and present. Where key individuals, from within the represented groups, were unable to attend they received clear detailed feedback soon after the meeting. During the meeting individual tasks were clarified with respect to the division of labour amongst the various actors, due dates for deliverables and additional details were included to further clarify the roles outlined. For example Table 7.1:

Table 7.1: Example of children's act project planning meeting: individual tasks identified and defined

Date	Task	People Responsible	Further Details
21st November 2008, or 24th November 2008 (DSD to confirm)	Meeting to discuss comments and provide feedback on concept booklets	Wits team UNICEF team DSD team including Communications rep	Wits team to prepare electronic presentation and printed version of sample design' DSD communications to inform Wits of preferred branding…

All the contact details of the various individuals involved were recorded and included in the minutes that were taken at the meeting and then distributed amongst the partners. Clear procedures and processes were set down allocating duties with respect to:

1. Responsibility for commenting on draft versions of the material;
2. Identification of procedure to follow when sending draft material and receiving comments;
3. Responsibility for conceptual decisions (how many booklets, for what age group?);
4. Responsibility for branding;
5. Responsibility for the printing of the final version of children's act booklet/s.

In addition, dates were pre-chosen for follow-up meetings with the lead government department, DSD. These were important conceptualisation meetings where issues relating to design and content needed to be finalised as soon as possible, with the appropriate decision makers and with the technical team.

After the first planning meeting there were a number of questions about the booklets and the differing expectations of various actors. Question revolved around the number of booklets needed, whether one book would suffice or, in the view of the technical team, there should be three booklets, each with a common theme. In addition the age of the children who were to be targeted remained unclear, particularly in light of DSD's request that the booklets should appeal to all children, irrespective of age, race,

nationality, and should also appeal to adults[1147]. DSD was concerned about the design and colours to be used in the cover of the booklets and both DSD and UNICEF had specific requirements regarding layout, artwork and the use of text.

Working through a creative process within a diverse network of actors with specific institutional and policy requirements can be both inspiring and challenging. The highlight of this process was that the actors, in spite of their diverse frames of reference, were able to collaborate at a creative and professional level, resulting in a supportive and productive environment. The process adopted during the planning and research, design and development phases (Phases 1 and 2), specifically during the conceptualisation and design of the booklets, was iterative, cooperative and transparent. Although conflict did inevitably occur it was successfully and professionally resolved by the project manager who was adept at problem solving and negotiating for a win-win outcome[1148].

This phase highlighted certain important skills needed by a network manager particularly when coordinating a mix of actors with differing institutional expectations. In Chapter 2 it was pointed out that network management 'signifies a more differentiated approach to actors'[1149]. This means that the network manager has to learn to adapt to simultaneously managing different strategies and instruments[1150] and this, as a result, can be quite demanding on the manager. The project manager, housed at Wits Enterprise, was responsible for overseeing the implementation of the planning and materials development (Phases 1-2) working closely with the reference team (representatives from UNICEF and DSD) and with the team leader Colgan (Street Law (Wits)). The strength of the project manager lay in the fact that she adopted a highly consultative approach, where decisions were made only after consultation and consensus from the other actors. In many ways the project manager acted as a facilitator in the process, initiating and guiding the interaction between actors.

[1147] During a meeting held on the 21st November 2008, it was decided the age range would be 11-15 years and clear graphics will be included where the information was applicable to younger children.

[1148] Two occasions for conflict took place both as a result of the delays: 1) between the service provider and UNICEF; and 2) a dispute between the technical and design team due to the delays caused by having to re-edit legal content after lay-out and design.

[1149] Kickert, W. & Koppenjan, J. 1997. 'Public Management and Network Management: An Overview'. In: W. Kickert, H. Klijn & J. Koppenjan, *Managing Complex Networks: Strategies for the Public Sector,* page 54-55.

[1150] Kickert & Koppenjan see note 1149 at 54.

7.3 Phase 2: Research, design and development of materials

This section outlines the process adopted in developing the project materials. During this phase the core group of actors — UNICEF, DSD, Wits Enterprise and Street Law (Wits) — expanded to include extra members into the process; these members were either affiliated to UNICEF, Wits Enterprise or Street Law (Wits).

7.3.1 Materials development: Engaging and mobilising the team

The Wits project team, referred to in the meeting notes, comprised Wits Enterprise (Project management) and a technical team led by the coordinator of the Street Law (Wits) programme, Colgan. The remaining members of the technical team were either affiliated with the Street Law (Wits) programme or were from Wits Enterprise. Most of the technical team were lecturers in law, based at three Universities — the Universities of Witwatersrand, North West and KwaZulu-Natal. One member of the team was a lecturer in the school of education and was responsible for early childhood development in her department. The design team, a graphic design organisation identified by UNICEF, was responsible for the final layout, design and illustrations for the booklets.

Prior to and during the early development of the project a number of phases were identified and within each phase key tasks highlighted. All actors in the network were involved throughout the process and were allocated shared or specific tasks where responsibilities ranged from: 1) provision of reference material (DSD, UNICEF and the technical leader, Colgan); 2) editing team (DSD, UNICEF and project team); 3) research and writing (project technical team); 4) project management (Wits Enterprise); 5) branding, colours and printing (DSD communications department); 6) layout, design and illustrations (the design team). The decision to involve the DSD communications department from the outset was due to the urgency of the project, a point that was specifically highlighted at the 21st November meeting where it was said:

> *'It was made quite clear that as the project only has a short time to be completed time cannot be wasted in working on a layout that will be turned down by the key decision makers at the last minute. To prevent this from occurring it was decided that decision making employees must be involved from the outset: 1) This was specifically important in terms of the Communications Department at DSD, and the approval of the Head of this section should be sought as soon as possible to ensure that branding is in order; 2) In*

terms of content, the DDG would have to sign off on the final version'[1151]

Because of tight time constraints, open, clear communication was viewed as fundamental within the project, as was the need for regular updates and meetings. This ongoing communication, from inception, contributed toward the development of improved relations between actors and encouraged actor buy-in. The editorial team was made up of UNICEF, DSD and project team representatives. Thus by encouraging frequent interaction amongst these key actors, throughout the writing process, actors began to communicate with one another using a common language[1152] and developing a common understanding over a relatively short time period.

In a network it is important to ensure that if actors wish to participate in the process or discussion[1153] they need to be integrated into the culture of the group, the discourse. If this does not happen, 'their contribution will be incongruous and there is even a chance that it will be ignored as irrelevant' because it is seen as *unintelligible* or *incomprehensible'*[1154]*.* Other factors that influenced strong participation and buy-in from many of the high end actors were: 1) the team that came together for the planning meeting was made up of stakeholders who had the power and authority to make decisions to guide the process; 2) the Deputy Director General (DDG) was overseeing the final product that was to be presented in Parliament at the same time as the launch of the Children's Act. Thus the urgency of the project and buy-in from high end actors, in many ways, jump started the process to such an extent that the normal tentative and cautious approaches that often mark the start of networking relationships were avoided[1155]; and 3) the actors — DSD, UNICEF and Wits Project team — had worked together on other projects prior to this and varying levels of trust and understanding had developed amongst them.

Furthermore a clear process of iteration was introduced where, after completion of each key stage, draft concepts and then copies of the materials developed would be circulated amongst the network actors for review and comment before progressing to the next stage.

[1151] Minutes of child-friendly Children's Act project meeting. Dated 21st November 2008.

[1152] Schaap, L. & Van Twist, M. 1997. 'The Dynamics of Closedness in Networks'. In In W. Kickert, E. Klijn & Koppenjan, I. *Managing Complex Networks: Strategies for the Public Sector,* page 71.

[1153] In this case in the discussion around the booklets content and design.

[1154] Schaap & Van Twist see note 1152 at 71.

[1155] Termeer, C. & Koppenjan, J. 1997. 'Managing Perceptions in Networks'. In W. Kickert, E. Klijn & Koppenjan, I. *Managing Complex Networks: Strategies for the Public Sector,* page 93.

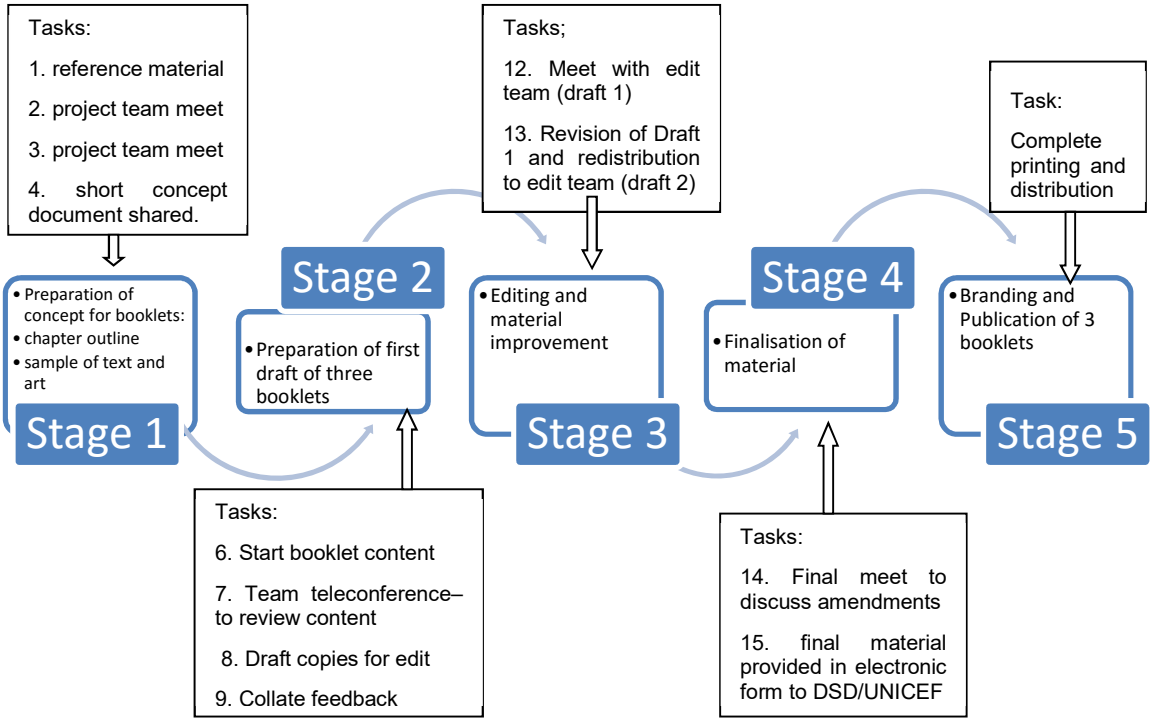

Figure 7.1: Iterative process of development utilised in the children's act project

The materials development phase of the project (Phase 2) was divided into five stages: 1) concept outline, including sample of text and art work; 2) content for Booklets One, Two and Three; 3) provision of draft 1; 4) provision of draft 2; and 5) final booklets (Figure 7.1). The process was open and inclusive leading to the DSD representative of the children's directorate stating, toward the end of the process: 'RM expressed thanks to all in attendance for the energy and hard work that had gone into the project, resulting in an effective consultative process and an attractive and useful product'[1156].

A variety of factors contributed to the successful process adopted during the conceptualisation and development of the booklets, of these the key factors were:

1. The clear delineation of tasks amongst the various role-players so that there was little opportunity for blurring or duplication of roles;
2. The project manager and team focussed on specific management tasks related to finances and administration leaving the technical knowledge to the technical leader. Where there was uncertainty about the crossing of boundaries these issues were communicated clearly and resolved immediately and with sensitivity;
3. Respect was shown toward all actors in the network even during times when

[1156] Child-friendly version of the Act Meeting. Minutes on the 17th December 2008.

pressure was high because deadlines were shifted or ignored;

4. The communication between actors was clear, open and transparent. Network actors showed a willingness to provide and receive information, without hidden agendas or displays of opportunistic behaviour;
5. Working within a diverse network under tight time constraints can lead to conflict. When actors were placed under pressure, conflict was inevitable. These tensions were resolved immediately through a process of conciliation and negotiation.

7.3.2 Final steps of materials development

By December the 11th 2008, the second draft was completed and circulated amongst the team, UNICEF and DSD, for review and comment in time for the final draft discussion due on the 17th December 2008 before closing down for the Christmas vacation. When businesses opened once again after the vacation, unexpected problems and delays began to impact negatively on the project.

In January, after the draft submission was made on time, final comments remained outstanding until late January. This unplanned delay impacted negatively on the service providers' ability to then meet the agreed date for submission. Between the meeting held on the 17th December 2008 and the start of business in January 2009, it transpired that the date for the Children's Act launch had been shifted and in spite of the uncertainty about the actual date of the launch, this change impacted on the sense of urgency that was driving force up until to this time.

With the removal of the primary source of pressure on both DSD and UNICEF, there was a relaxing on the part of the high end actors with respect to their own deadlines. This 'relaxing' then led to prolonged delays in the return of comments on final amendments which in turn impacted on the next phase of the project, the final layout design and artwork. By the end of March, because of the delay in comments from certain actors, there was uncertainty about whether to proceed with the booklets as they were or to wait for the outstanding recommendations, if any. These delays at the end of the project had a negative impact on actors in the project team who were dependent on the feedback prior to continuing with their allocated tasks.

This highlights the interdependent nature of the network where without the mutual cooperation of other actors or another actor, productivity can be directly affected. In situations where non-compliance may result in network blockages the traditional top-

down controls are ineffective, as in a network no single actor has the power or steering capacity to unilaterally enforce compliance[1157]. Thus finding a resolution to issues of non-compliance will call for alternative management strategies. In this case the project manager sought to negotiate a compromise relating to extending the contract deadline and budget limit.

Due to the delays, the contract was completed three months after the expected end of contract date[1158] as a result of: 1) a delay in the implementation of the Children's Act which was to take place a year later in April 2010; 2) relaxing deadlines on the part of high end actors which lead to delays in the team receiving feedback; and 3) the impact of late feedback on finalising the design, layout, illustrations and text that then needed to be vetted by the high end actors. Nonetheless, when eventually completed, the final product was well received and viewed as both original and accessible.

After completion of the booklets, very little was done to use the final product other than to launch and distribute it, with some fanfare, at Parliament. The intention of the technical team, when designing and writing the booklets was that they would be used as training materials in schools with both teacher and pupil alike, or with youth groups and in organisations working with children. This anticipated outcome never happened.

Without a plan to use the booklets, beyond the launch, an important opportunity was lost. Firstly, in showing the value of creating child-friendly versions of policies and laws, and secondly, in showing a genuine commitment to child participation at the high end level of the network. Thus, in order to better utilise this opportunity, the Street Law (Wits) coordinator decided to initiate a Street Law training programme using the booklets as a training tool.

As Tantivess and Walt point out, '(i)n implementation many CSOs enhance the capacity of governments by delivery outreach services or acting as platforms for action on issues neglected by government'[1159]. Over the years, the Street Law programme at the University of Witwatersrand, has worked with and developed partnerships with a variety of organisations and institutions — state and non-state. Street Law has partnered schools, public and private, child and youth groups and organisations working with and

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[1157] Kickert, W., Klijn, E. & Koppenjan, J. 1997. 'Introduction: A Management Perspective on Policy Networks'. In: W. Kickert, E. Klijn & J. Koppenjan. 1997. Managing Complex Networks: Strategies for the Public Sector, page 11.

[1158] Far in excess of the original 7 weeks set by UNICEF at the start of the project. See completed child friendly version of children's act at: www.dsd.gov.za/index.php?option=com_docman&task=cat_view&gid=60&itemid=39

[1159] Tativess, S. & Walt, G. 2008. 'The role of state and non-state actors in the policy process: the contribution of policy networks to the scale-up of antiretroviral therapy in Thailand'. *Health and Policy Planning,* page 330.

for the protection of children. The programme also had at its disposal a number of trained student facilitators. This decision to proceed further with the child-friendly version of the Act marks the next phase of the children's act project where a training programme was designed with the booklets in mind and piloted with an organisation closely affiliated to the Hospice Palliative Care Association (HPCA) South Africa. The primary network actors in the next phase of the project were therefore, Street Law (Wits), HPCA and Cotlands Children's Hospice.

7.4 Phase 3: Piloting the project – activating and mobilising key network actors

In a network setting the selective activation of actors in the network ensures that the correct actors are involved and motivated. This is an important network strategy which, coupled with joint or mutual goal setting, will facilitate opportunities for improved cooperation between network actors[1160]. Prior to piloting the children's act training project it was necessary for Street Law (Wits) to identify an organisation most suited to a training of this nature. Because of the existing relationship with HPCA this decision was made in consultation with HPCA. This section explores the developing relationship between Street Law (Wits) and HPCA through the introduction of the children's act training project.

7.4.1 Lead actors during the pilot: Street Law and Hospice Palliative Care Association

The decision, by the Street Law coordinator, to pilot the training programme with an organisation that was part of the HPCA network meant that there was already a basis on which the relationship could develop. HPCA provided the necessary support in the form of identifying and introducing the two organisations to one another. HPCA continued to support and manage the relationship throughout the pilot of the training programme and during the roll-out that took place the following year.

As a result of the facilitative role adopted by Gunn Clark (HPCA project manager), network actors were encouraged to interact frequently with each other and with the project manager, throughout the pilot phase. Although the project manager was responsible for overseeing the overall project, actors were encouraged to determine the

[1160] O'Toole, 1988; Also Kickert & Koppenjan see note 1149 at 35-60.

specifics of the project, based on their own unique needs. This meant that any strategies adopted or decisions made, were carried out in consultation with the core group and communication remained open and transparent.

The pilot phase (Phase 3) of the children's act project marks the commencement of the training programme. Prior to discussing the pilot, this section provides a brief outline of the two actors participating in the project with the Street Law (Wits) programme.

7.4.2 Hospice Palliative Care Association: links with local networks

The Hospice Palliative Care Association (HPCA) is a national umbrella organisation based in Cape Town, operating in all nine provinces in South Africa. It is an association that advocates for palliative care both nationally and internationally, bringing together a network of individual hospices and provincial associations under one united body. Thus HPCAs overall aim is to support member hospices in the provision of quality palliative care for all. HPCA's mission is the promotion of 'quality of life, dignity in death and support in bereavement to all persons living with a life threatening illness by supporting member hospices and partner organisations'[1161]. The strength of HPCA is its ability to link with government and with a wide network of grass-root organisations.

Hospice care is holistic in its approach, understanding the multiple deprivations that already confront many South African families and taking into consideration the sense of hopelessness that many of these families face after the loss of a loved one. As stated by HPCA, '(t)o improve the quality of life for patients and their families, these needs need to be addressed to empower the family to cope with the life threatening condition effectively. Poor resources and lack of referral structures make this very difficult'[1162].

HPCA has also highlighted the fact that, over the years, it has been engaging with strategic partners in government such as Department of Health (DoH), Department of Social Development (DSD), Department of Correctional Services (DCS) and is also in partnership with many NGOs, one of which is the Street Law (Wits) programme.

7.4.2.1 Relationship with Street Law (Wits): linking law and health

Around the same time that the Street Law (Wits) coordinator was approached by UNICEF requesting information on the laws of succession in South Africa, Hospice

[1161] HPCA website http://www.hospicepalliativecaresa.co.za/index.html last accessed 14th June 2014. Also Sangonet at www.ngopulse.org/organisation/hospice-palliative-care-association-south-africa last accessed 14 June 2014.

[1162] HPCA website last accessed 14 June 2014.

began an initiative aimed at bringing together both legal and health practitioners. In October 2006, HPCA coordinated a gathering, with international agency support, that aimed at bringing together leading human rights advocates and palliative care providers in South Africa[1163]; the Street Law (Wits) coordinator was one of the participants.

Edelenbos and Klijn say that the innovative solutions required for today's complex world can only be achieved when different organisations combine their knowledge and resources but, in this setting, decision making can be hampered by the institutional complexity or an unwillingness of actors to share information[1164]. By bringing together advocates from law and health, HPCA believed that the combined knowledge and resources, of various organisations, would help to devise strategies best suited to meeting the needs of patients facing a life threatening illness such as HIV/AIDS; recognising that patients' needs were not only health-related. This initial meeting intended to mobilise and activate relevant stakeholders, encouraging their voluntary and mutual commitment in resolving a common challenge.

Initial discussions focussed on utilising the law to promote health rights and palliative care for hospice patients. Important issues raised related to specific needs such as, legal stress of clients; nurse prescription of medicines; and, issues such as living wills, succession planning and ethics. This first meeting marked the beginning of HPCA's legal and health initiative where a number of key partnerships were developed, including the start of an eight year relationship between Street Law (Wits) and HPCA.

As part of HPCA's palliative care and legal assistance initiative, HPCA hired a project manager, Gunn Clark who was tasked with coordinating the overall process. In 2007 Gunn Clark set about identifying common legal issues confronting Hospices throughout South Africa. A questionnaire was sent to member hospices across the country, when responses were received they were collated and key legal concerns highlighted. Using this information, HPCA developed a pilot project aimed at a hospice programme. The plan was to extend the service further, 'once the pilot is deemed successful to extend the service to hospices around the country and to other health facilities'[1165].

A number of the Terms of Reference (TOR) coming out of the proposal for a pilot

[1163] Two palliative care organisations – HPCA and Wits Palliative Care – legal advocacy groups – Aids Law Project, Street Law Programme (National and Wits), Children's Institute, University of Western Cape law clinic.

[1164] Edlenbos, J. & Klijn, E. 2007. 'Trust in Complex Decision-Making Networks: A Theoretical and Empirical Exploration', *Administration & Society,* 39 (1), page 26.

[1165] Minutes taken from meeting held at HPCA on 1st June 2007.

project were linked to the legal assistance that could be provided through programmes such as Street Law (Wits) or the University of Cape Town (UCT) student volunteer programme. The relevant terms of reference identified the following as important:

1. Define criteria for suitable student volunteers and a suitable hospice site;
2. Identify hospice staff to provide orientation/support to students;
3. Define the scope of assistance to be provided by law students;
4. Identify legal personnel to provide supervision/support to the students;
5. Clarify indemnity for the students;
6. Obtain funding and finally evaluate pilot[1166].

To ensure the successful integration and implementation of this vision, HPCA set up a Hospice Pilot Working Group. The project manager, Gunn Clark, was responsible for overseeing the overall process. The Street Law (Wits) programme became one of the key actors involved in the Hospice Pilot Working Group. Between September and November 2007 two pilot training programmes commenced, one in Cape Town and one in Johannesburg. HPCA in partnership with the University of Cape Town (UCT) commenced work with St Lukes Hospice in Cape Town and at the same time Street Law (Wits) began working with Hospice Witwatersrand.

It took some time to get both projects off the ground as negotiations regarding logistics and the quality of training needed to be established prior to commencement. One concern was the amount of time left to carry out the training in 2007 as many of the students involved in both pilots were final year students and would not be available after the October/November period. Once the Hospice Witwatersrand project got going regular weekly trainings were able to be held at both Hospice Houghton and Hospice Soweto. In 2008 this project continued to operate at Soweto Hospice and expanded further in the Cape to include Black Sash and the Aids Law Network.

In June 2010, Street Law (Wits) contacted Gunn Clark at HPCA and spoke of the child-friendly Children's Act booklets and the possibility of developing a training programme utilising the HPCA network of organisations. The training would be aimed specifically at improving the knowledge of hospice nurses and careworkers on the Children's Act using the booklets as a guide. Copies of the booklets were then sent through to HPCA

[1166] Meeting see note 1165.

to ascertain whether hospices would be interested in using the booklets as a resource or in participating in the training on the Children's Act using the booklets as a guide.

In August 2010, an email enquiry was sent from HPCA to Cotlands Children's Hospice (Cotlands) and Footprints Hospice enquiring if either organisation were interested in participating in a law training programme specifically on the Children's Act. Cotlands was the first organisation to respond to this email enquiry.

7.4.3 Cotlands Children's Hospice: community networks

Cotlands[1167] is a non-profit community development organisation whose primary focus is on finding 'solutions to real community problems'[1168] in order to build capacity in the care of children. Therefore, Cotlands primary beneficiaries are orphaned and vulnerable children who have been infected or affected by HIV/AIDS. At the time when Street Law (Wits) began working with Cotlands in Turffontein, Johannesburg it was still a large-scale residential care facility for young children.

During the period of implementation of the children's act project, Cotlands went through a major shift from being a large-scale residential care facility to a more sustainable model aimed at equipping families with the skills to care for children in their own community. To do this, whilst ensuring the ongoing protection, survival and psychosocial development of children and their families, Cotlands committed itself to 'providing an integrated array of services'[1169]. The variety of services offered includes a broad spectrum of health services ranging from: the prevention and management of childhood illnesses including chronic conditions; HIV/AIDS services — to support families in the ongoing treatment and also the prevention of mother to child transmission; TB screening; monitoring referrals; and providing palliative care for terminally ill children[1170]. Other services also include the provision of food gardens for children and families, psychosocial and/or child protection services, counselling and support for families to access government services and documentation and numerous other capacity building services.

The inclusion of a training programme on the Children's Act with staff members at Cotlands illustrated the need, of many service providers, to receive basic, practical

[1167] They are active in six provinces, offering integrated community based programmes.

[1168] Cotlands Hospice website http://www.cotlands.org.za last accessed 14 June 2014.

[1169] Cotlands website see note 1146.

[1170] Cotlands web site.

guidance and information on law and legal processes. Although some of the members of the staff who attended the training were well-versed in the recent changes to children's laws, not all members shared the same knowledge and it was necessary that staff members needed to gain new knowledge and also enhance and share their existing knowledge.

7.5 Implementing the pilot workshops

It was only in early August 2010, two months after the initial invitation to participate in a Children's Act training project was sent out, when negotiations between HPCA, Cotlands and Street Law (Wits) began in earnest. Initial introductions were made through HPCA via email stating:

> *I am writing because we have an opportunity to invite law students to run workshops at hospice on aspects of the law relevant to your hospice. Also just to mention that Colgan has recently produced 3 … booklets called: The Children's Act Explained which are written in a very easy to understand style. The Children's Act is a new piece of legislation that is very relevant to hospice and you may decide this is the …topic for the law students to run at your hospice'*[1171].

These early email introductions were then followed by a series of phone conversations and teleconferences where further details and requirements of the various actors were negotiated. These discussions finally culminated in a number of meetings held with key management, psychosocial and training staff at Cotlands. The initial interaction between Cotlands and Street Law (Wits) was tentative and exploratory, as is natural in first meetings, but through many discussions there was an increased understanding of mutual needs. As Termeer *et al.* point out, '(w)hen actor's interact for the first time, they have to invest in getting to know each other, in understanding each other's interests and perceptions, and in developing a common language'[1172].

One of the obvious concerns was the training offered was to be conducted by student facilitators and this put the quality, depth of knowledge and experience of the facilitators in question. It was agreed the street law coordinator would provide supervision and oversee the process but would be unable to attend all the training sessions. These issues were ironed out, to some extent, and training commenced in early September: it

[1171] Email correspondence from HPCA, Gunn Clark, to Cotlands Children's Hospice and Footprints Hospice dated 20 August 2010.
[1172] Termeer & Koppenjan see note 1155 at 93.

was agreed that the training would take place over a 6 week period.

In addition to Cotlands providing the Street Law programme with a clear outline of their training requirements, the Street Law coordinator also participated in the first training workshop. This was an introductory, exploratory session aimed at ensuring that the actors involved were able to share their expectations and understandings of the training offered. The expectations highlighted during the introductory session, provided a basis for the content that would be introduced over the six week training period. Such a process recognises and values the mutual engagement of all participants in determining the training programme. It introduces a more facilitative and interactive process where respect for all participants helps to build relationships and provides an opportunity for trust to develop between the various individuals involved.

Four final year students, registered in the Street Law course, were allocated the responsibility for overseeing the training programme[1173]. They were also tasked with the duty to report back on a weekly basis with the Street Law coordinator, who would report back in turn to the Cotlands psychosocial manager and Gunn Clark at HPCA. This pilot project was also identified by HPCA as a project to be evaluated.

As stated in the original brief the aim of the pilot was, 'to develop a pilot project at a hospice where patients may receive legal assistance and once the pilot is deemed successful to extend the services to hospices…'[1174]. Thus, in terms of HPCA's pilot on 'legal services at hospice' the evaluator was briefed to incorporate the Cotlands Children's Act training into her final evaluation.

7.5.1 Building relationships: developing trust

The uncertainty and complexity inherent in a policy network can be addressed through improved cooperation between diverse actors. To improve cooperation calls for better actor relations either through a formalised approach or one that is less formal and based on 'trust and commitment' as a result of 'a history of interactions'[1175]. Edlenbos and Klijn state that '(i)f horizontal, voluntary relations in modern societies are increasing in importance, trust seems to be an important coordination mechanism because we

[1173] One of the student facilitators also assisted in the Street Law (Wits) office and was a mature student with NGO experience. She was tasked with the overall responsibility of ensuring the project was delivered in a professional and sensitive manner.

[1174] Report on 'Legal services at Hospice' 2007, page 2.

[1175] Provan, K. & Milward, H. 2001. 'Do Networks Really work? A Framework for Evaluating Public-Sector Organisational Networks', *Public Administration Review,* 61 (4). page 418.

cannot organize all uncertainties in life through hierarchical power, direct surveillance, or detailed contracts'[1176].

Although trust may be a solution to the complexities in a network arrangement it can also be a problem because it requires commitment and work. Usually, in order for trust to develop it cannot be a one-time-only affair as trust is 'characteristic of an interaction relation that has existed for some time'[1177]. Also, on the negative side, trust can expose actors to opportunistic and manipulative behaviour it may also lead to an unhealthy situation of groupthink where critical checks and balances are not in play[1178].

7.5.1.1 Trust as a strong coordinating mechanism

Prior to the commencement of the children's act project, the relationship between HPCA and Street Law (Wits) was already in place. Since late 2006, Street Law (Wits) and HPCA interacted on a regular basis, gradually developing a working relationship based on equality which evolved into a relationship of support and trust. As Edelenbos and Klijn state, '(t)rust is a very promising coordination mechanism in a modern network society'[1179].

Much of the uncertainty and caution, marking the initial relationship between HPCA and Street Law (Wits), shifted when both organisations acknowledged their mutual dependency. This became apparent during an early interaction, between the HPCA project manager, Gunn Clark, and Street Law (Wits) coordinator, Colgan. Soon after a Hospice Pilot Working Group discussion, Gunn Clark, expressed an interest in running the pilot training workshops with lawyers as the trainers, thus shifting away from the original agreed model where Street Law and UCT students were the facilitators. The Street Law coordinator spoke openly with Gunn Clark, expressing her concern about this shift in approach. The resulting response moved the relationship from one of uncertainty to one that indicated a level of respect and growing trust.

In response to the email received from Colgan, the HPCA project manager said, '(i)n getting excited about the 'new flavour of the month' being the lawyers who have expressed an interest, perhaps our focus has moved away from our main aim, which is to: empower hospice patients, families and staff with the legal know-how to resolve

[1176] Edlenbos & Klijn see note 1164 at 26.
[1177] Edlenbos & Klijn at page 33.
[1178] Edlenbos & Klijn at page 34.
[1179] Edelenbos & Klijn.

problems themselves…my presentation highlighted our position that legal preventative education is the way to go'[1180].

The foundation that HPCA provides for other actors in the HPCA network, particularly its member associations, and in terms of this project, was the fulfilment of two HPCA objectives which are to: work with hospices and provincial associations towards the realisation of a common vision of quality palliative care for all; and provide assistance to non-profit (NPOs) and other facilities in organisation development, personnel development, Governance structures and development of specific services such as palliative care, TB care and orphaned and vulnerable children (OVC) care.

By supporting the relationship between Cotlands and Street Law (Wits) the ongoing trust and interaction with HPCA was extended to the relationship with Cotlands. When problems did arise with respect to logistics or the wish to include specific content into the training, a team made up of the HPCA project manager, the Cotlands psychosocial manager and the Street Law (Wits) coordinator would meet to negotiate and problem solve to find equitable solutions (Figure 7.2).

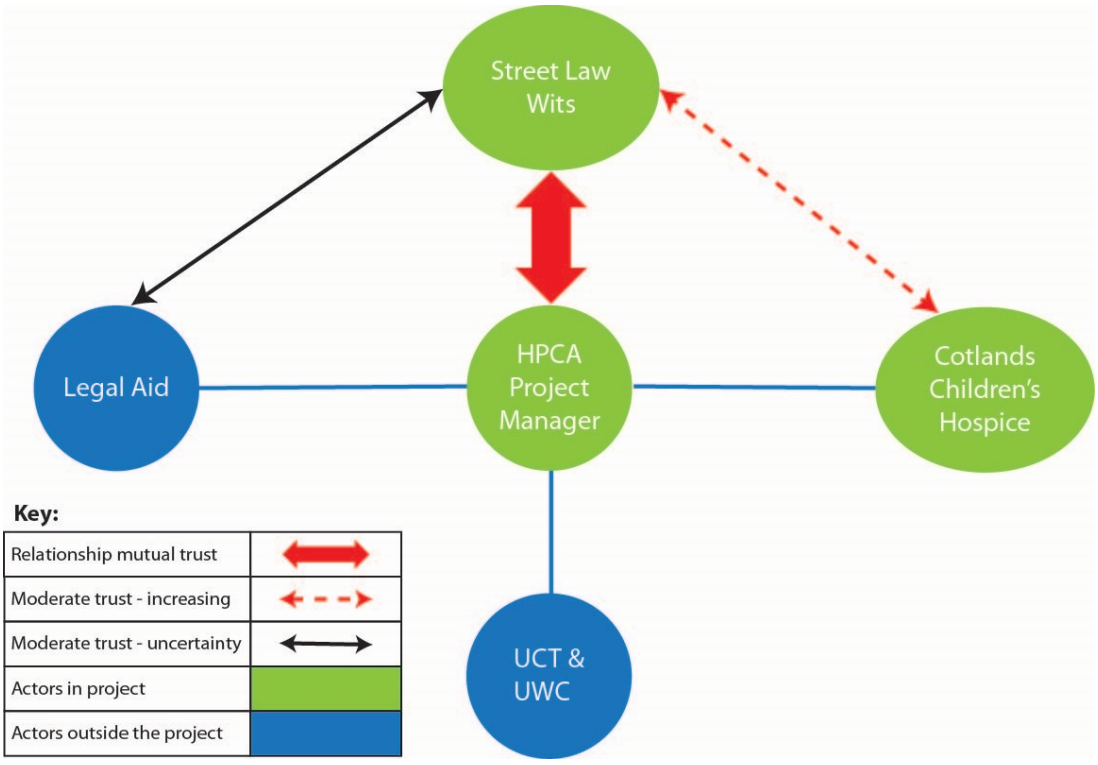

Figure 7.2: Actor relationships in the HPCA network during the children's act project

[1180] Email communication from project manager Gunn Clark to Street Law (Wits) dated 3rd December 2008.

7.5.1.2 Actor roles and responsibilities

In the children's act project each actor involved took on specific responsibilities and tasks. HPCA provided overall support and management for the project, including any additional costs (within limits) and the project evaluation. Cotlands provided the venue and training participants. The participants were staff members who either needed information on the new Children's Act or wanted to increase their knowledge and also receive training on the recently developed regulations. Street Law provided the facilitators and materials for the training. Street Law (Wits) also needed to fulfil its primary business which was the development of and training on basic legal concepts and their practical application, aimed at a variety of child and youth groups, community groups and organisations through the use of student facilitators.

In this particular project although the network was small, with a core group of three primary actors, unlike the succession planning project, the overall HPCA pilot project, involved a wider number of actors throughout South Africa. This particular study focussed specifically on the project between HPCA, Street Law (Wits) and Cotlands yet it did not detract from the fact that both the HPCA project manager and Street Law (Wits) coordinator continued to work together on the broader HPCA pilot project.

The training programme developed for the children's act project was evaluated before during and at the end of the training, much of the evaluation focussed on the content and presentation of the workshops held at Cotlands, which is of little relevance to this current study. Furthermore the number of participants who were trained over the six week period amounted to only nine participants. All participants were Cotlands employees ranging from professional social workers, nurses and care-workers including two managers and an educator. The following section will briefly discuss the training and the impact of the pilot on the future roll-out of the children's act project in Cotlands.

7.5.2 Finalisation of pilot, commencement of training roll-out (Phase 4): challenges and concerns

In the HPCA pilot evaluation report it was stated, '(c)arers at Cotlands were trained to become legally literate, to read Acts and discern what remedies are available in terms of the Act'[1181]. The Cotlands programme was very much an equally shared outcome

[1181] Artz, L. & Moult, K. 2011. *HPCA Evaluation Report for Law Workshops Pilot Programme*, page 26-27.

between the two organisations, facilitated by the HPCA project manager, Gunn Clark. Cotlands and the participating staff in the training were empowered and directly involved in the content of the training and in their ongoing feedback to the facilitators and the project managers/coordinators from all the organisations involved.

Unlike the succession planning project, the materials developed for the Cotlands training were not pre-prepared and set down in a predetermined way. The Children's Act booklets were simply a resource around which the training programme was expected to develop. The content, style and presentation of the training programme, was the responsibility of the Street Law facilitators in collaboration with the Cotland's manager and the workshop participants. After six training sessions the project ended in October 2010, with a specific request from Cotlands that it recommence again in 2011. As stated in the evaluation report, 'Cotlands Hospice indicated that they would like to continue with the Street Law Programme in 2011 and reported that the workshops had been very useful to their carers'[1182].

Based on the discussions held between HPCA, Cotlands and Street Law (Wits) prior to the ending of the project in 2010, there was an expectation that the Cotlands programme would recommence in early 2011. By the end of February 2011, negotiations regarding participant/staff availability had still not got off the ground. In order to initiate the process once again, the HPCA manager became involved sending out email enquiries to all actors involved and assuring the groups that training should commence as soon as issues around availability were sorted, as was said, 'B at Cotlands has the difficult task of trying to get everyone together and settle on dates for these sessions that will suit diaries and everyone's commitments'[1183].

By the end of May workshops had not recommenced with the original 2010 group, although a new programme had started at Cotlands, Soweto, running for short period from May until June 2011. In July a follow up email was sent to all the actors stating, '(t)his year the psychosocial manager [Cotlands] asked Colgan to expand the programme to include Soweto and the students went there on the 20th May-3rd June. The Street Law Programme returned to Turffontein but the participants were not the same people so continuity was lost and the programme developed could not be built on…I very much hope sessions can continue at Cotlands whilst understanding that staff

[1182] Artz & Moultz see note 1181.

[1183] Email sent in late February 2011 to team from HPCA, Street Law (Wits) and Cotlands.

are hugely busy…'[1184].

Needless to say, in spite of the intention to both continue with and expand the roll-out of the Children's Act training programme in 2011, with a new group of student facilitators, the training for the training roll-out (Phase 4) of the project never quite got off the ground and the children's act project ended mid-2011.

7.5.3 The sudden end of training roll-out: an uncertain future

Following on from the disappointing roll-out of training, post the promising pilot in 2010, the Street Law (Wits) coordinator Colgan and the HPCA project manager, Gunn Clark, established that many of the careworkers at Soweto Cotlands did not believe in the relevance of the training for their particular purposes. Many believed that their primary work was the care and health of their clients, the additional legal information was an add-on to their work and not seen as adding value[1185]. In addition, the challenges that confronted roll-out in 2011 appeared connected with the institutional changes that were taking place within Cotlands at the time. The failure of the 2011 roll-out can therefore be attributed to two primary causes: 1) the institutional changes happening within Cotlands interfered with the availability of the participants from Cotlands Turffontain and from the Soweto; and 2) the perception, of the carers at Cotlands Soweto, that the training was an add-on to their work and not relevant to their practice.

The reality is that the pilot project was a success at Cotlands, in 2010, because of the involvement and commitment of the relevant stakeholders from all three organisations. There were lengthy, detailed discussions on the needs and expectations of all the actors. When training commenced, the facilitators and coordinators were attentive to the needs of the group and addressed their concerns from the start. In addition the coordinator was closely involved with and supervised much of the training process.

During the 2011 roll-out this was not the case, the same process of establishing the group's needs and expectations and developing a joint understanding, was never followed. This meant that participants failed to see the relevance because the training was never introduced with the participants' needs in mind. There was an objective that needed to be met, on the part of the high end network actors, and this was neither shared nor conveyed to the lower end, as a result the project in Soweto ultimately

[1184] Email sent at end of July 2011 to team from HPCA project manager.

[1185] Report back from Soweto Hospice, June 2011.

failed. With respect to the original Cotlands group, it was never clearly revealed why, after the pilot's success, the project never recommenced in 2011. Thus, despite a few attempts to restart the process, both projects ultimately ended in 2011.

7.6 Phase 5: Confirmatory workshops, the next phase

In spite of the success of the Cotlands' pilot during late 2010, it cannot be said that the children's act project was in itself a success, particularly with respect to garnering commitment from actors who were peripheral to the core network during training roll-out. At the time when the project ended, the Street Law (Wits) programme viewed the children's act project with some disappointment, especially when, at the same time, the succession planning project had just come to an end and close on 1321[1186] participants had been trained over the period of implementation.

This comparison between the two projects, regarding the achievement of meeting specific objectives, then shifted significantly when examining the two case studies using the policy network approach as the yardstick. The perception of success or failure of the outcome of the two projects shifted when focussing on the longevity of the network structure itself (management and coordination), the coordination of actor interaction and the development of cooperation and trust.

At the time when the succession planning project ended, so too ended the ongoing interaction between certain high end network actors and with many of the lower end actors that had been involved in the training roll-out[1187]. More specifically certain relationships with the National Organisation were completely severed. The same cannot be said for the close network structure that was initially developed prior to the children's act training. This had strengthened during the time of the training and had become established after the children's act project ended.

The children's act project acted as a catalyst for the further enhanced interaction between the Street Law (Wits) programme and HPCA. The earlier relationship led to Street Law (Wits) making a commitment to enter into a voluntary partnership with HPCA in order to roll-out further training across South Africa under the auspices of HPCA. The interaction that took place on a continuous basis between HPCA and Street Law (Wits)

[1186] During the pilot 187 participants were trained; during the 2009-2011 period 1024 people had been trained and during the later confirmatory workshops 110 people were trained in succession planning.

[1187] Interaction obviously continued between DSD and UNICEF. The Street Law (Wits) programme also continued to maintain a relationship with UNICEF but not in terms of the original succession planning project.

prior to and during the pilot provided the foundation on which future programme planning was built.

7.6.1 HPCA Initiative: Building a sustainable network of support

During the pilot process the interaction between HPCA and Street Law (Wits) revealed the value and the competence of each actor. The acknowledgement of each actors specific competence was revealed in respect of: 1) a functional competence, where both actors displayed the specialised knowledge and expertise needed for the type of training programme HPCA had in mind; and 2) interpersonal competence, which was an existing strength within HPCA as an institution — knowing and valuing the working relationship and the value of the individuals involved[1188].

Thus, in 2012 after the launch of the 2nd edition of HPCA's 'Legal Aspects of Palliative Care'[1189] book, HPCA made a decision to pilot a training programme which would ultimately train a selection of delegates from law and health, using their book as a training resource. HPCA, in partnership with organisations, institutions (including government) and Hospices, across South Africa, commenced with a country wide roll out in 2014.

As part of the HPCA commitment to engage with a variety of partners, including government, the HPCA project manager, Gunn Clark, responsible for the training programme contacted the then Minister of Justice with respect to endorsing the HPCA training. As a result of this interaction between Gunn Clark at HPCA and the then Minister, a commitment was made to support the partnership between law and health. This in turn led to further discussions, initiated by HPCA and involving Street Law (Wits), with Legal Aid South Africa where a commitment was made to support and participate in the HPCA law and health initiative.

What has transpired since this initial period of introduction and discussion is that at each of the training workshops conducted to date, 'a lawyer from a branch (legal aid) closest to the venue' office has attended and participated in the 2 day training[1190]. In addition to the participation of these legal representatives many have made a commitment to assist Hospices and other affiliated organisations with legal aspects

[1188] Edelenbos & Klijn see note 1164 at 40.

[1189] Boucher, S., Cameron, S., Colgan, D. & Nieumeyer, S. (eds). 2012. *Legal Aspects of Palliative Care.*

[1190] Gunn Clark, N., Nieuwmeyer, S. & Colgan, D. 2014. T*raining Manual for Law and Palliative Care,* page 2.

such as referrals, further legal training and legal advice.

In close collaboration with Street Law (Wits) this process has continued to strengthen the HPCA training project, and the HPCA vision for the creation of a partnership between law and palliative care. As part of the process HPCA has moved to include government partners from the departments of health and social development. This new initiative aims to work toward improving the service of Hospices throughout South Africa and thus a new network of actors, state and non-state, has evolved.

7.6.2 HPCA training programme: Law and palliative care

The HPCA training was founded on the view that hospice clients and their families undergo a high degree of stress when faced with legal problems that often fall outside their understanding. Therefore the aim was to create an awareness of legal pain as an aspect of total pain when viewed in the context of a person's illness[1191].

In order address the call, by HPCA, for an improved understanding of the relationship between law and health and to capacitate staff, in hospices throughout South Africa, specific training was developed, based on the HPCA book. This training was piloted in four sites throughout South Africa during 2014 (Paarl, Western Cape; Pretoria, Gauteng; Queenstown, Eastern Cape; and Bloemfontein, Free State.). The team offering the training was made up of affiliates or staff of HPCA, comprising of: the HPCA law project manager, Gunn Clark; a law lecturer and Street Law (Wits) coordinator, Colgan; and, a palliative care trainer previously part of a hospice in Western Cape. The training guide states that the:

> 'Objectives: By the end of the training, participants will have some understanding of legal knowledge and of how to use the law, which they can share for the benefit of their clients. Participants will be prepared to offer aspects of the training to other staff at their places of work, whilst liaising with HPCA representatives. Participants who run their own sessions in the post training period, should work towards inviting Legal Aid practitioners to participate in sessions. …'[1192].

The training workshop is one and a half days and covers a range of topics. The approach adopted in the training session is participatory and interactive. Participants

[1191] For the purposes of the training, legal pain refers to the client's worries about legal matters that have been neglected, not attended to or overlooked due to a lack of awareness or knowledge: Gunn Clark, N., Nieuwmeyer, S. & Colgan, D. see note 1190 at 3.

[1192] Gunn Clark, Nieuwmeyer & Colgan see note 1190 at 3.

solve problems, role play and share experiences relating to issues such as, access to care, children's rights, palliative care and the law, the interrelationship of palliative care, human rights and ethics, and building a support network of care. In addition, during the training, a large amount of time is dedicated to succession planning. Materials shared amongst the various participants include the Hospice training manuals and the materials developed in the children's act and the succession planning projects.

At the present time of writing an overall evaluation of the project has not as yet been carried out, although there is a detailed evaluation and review process in place.

7.7 Conclusion: Key factors

The children's act project identified various factors relating to a networking arrangement, highlighting strengths and weaknesses in the coordination of a project where a number of network actors, from different organisations and institutions, work together in order to improve the delivery of certain services. In the children's act project the number of actors involved was significantly smaller than that of the succession planning project. This meant that having a tighter, closer grouping of actors contributed to a reduction in the complexity and uncertainty often encountered in the larger looser arrangements, as was seen in the succession planning project.

When researching implementation within a policy network, the value provided, by this case study, lies in the strength of the strategies adopted during implementation of each phase of the study. It highlighted the management approaches utilised by each of the managers in the planning and in the development of training materials (Phases 1 and 2) and in the pilot (Phase 3) and finally during the confirmatory workshops (Phase 5). Their choice in using a more facilitative approach encouraged and enhanced the opportunity for increased interaction between the actors, thus building mutual trust which led to a smoother implementation process. The study specifically focussed on the importance of building relationships based on trust, indicating the impact that trust may have on enhancing coordination through greater cooperation, whilst at the same time, recognising that 'trust is very fragile and can easily turn into distrust'[1193]. Trust also takes time and commitment to develop, yet without it cooperation between diverse actors is difficult to manage.

[1193] Edelenbos & Klijn see note 1164 at 42.

Although the outcome of the training project itself was less than positive, the later confirmatory workshops (Phase 5) illustrated that actors within a network arrangement need to interact frequently yet, at the same time, in an environment where the opportunity for open and equal deliberation is provided. In time, and dependent on the frequency and manner of the actors' interaction — without the presence of go it alone strategies or opportunistic behaviour — trust can begin to develop and grow, thus increasing opportunities for further cooperation. During the pilot phase the interaction between HPCA, Street Law (Wits) and Cotlands — which was inclusive and respectful of each actor's needs — aided cooperation and contributed to further opportunities for growth. In the deliberative, flexible space initially provided by HPCA, actors were encouraged to interact often and share knowledge and information. This created an environment conducive to relationship building, thus opening the door to further training opportunities when the children's act project ended. As stated by a participant in the HPCA training programme, 'these networks actually work'[1194].

Clearly in the different project phases there were moments of uncertainty, tension and conflict yet these were quickly and easily resolved, unlike within the succession planning project. Much of the successful resolution of challenges could be attributed to certain key factors such as: the skills of both project managers in coordinating the interaction between actors and resolving conflict through negotiation and consultation; the smaller, core group of actors involved, closer to the policy community as envisaged along the Rhodes/Marsh continuum; and, involvement of appropriate actors similarly disposed toward working together for the same objective.

In the overall research a number of similarities were identified between the succession planning project and the children's act project:

1. The projects were an initiative of DSD and UNICEF based on the cooperative agreement between government and UNICEF;
2. In the planning and materials development phases (Phases 1 to 2) the same core group of actors, DSD, UNICEF, Wits Enterprise and Street Law (Wits) were involved;
3. The shared objectives in both projects were to capacitate key resource people living and working in the target communities;
4. In the pilot and the roll-out of training (Phases 3 to 4) training was ultimately

[1194] Training participant, Department of Health, Bloemfontein. December 2014.

aimed at improving the lives of OVC.

A number of differences were also noted between the two case studies and these were:

1. The allocation of resources differed significantly between the two projects with the succession planning project relying on extensive resources (financial, personnel, knowledge and skills);
2. There was a change in the involvement of actors at the high end level of the network with UNICEF and DSD not participating in the children's act project after the materials development phase (Phase 2) and with NACCA never participating;
3. In the children's act project a much smaller group of actors were involved in the network thus reducing the complexity during implementation of the workshops;
4. The succession planning project had longevity as long as the lead actors remained within the network; providing financial support and legitimacy to the project;
5. In the confirmatory workshop phase (Phase 5) key actors in the children's act project, HPCA and Street Law (Wits), continued to work together. This resulted in the development of a new network structure where there was an opportunity to broaden the network and include additional actors from state and civil society. Through the building of relationships during the children's act project a new network structure evolved into a sustainable and ongoing project involving both HPCA and Street Law (Wits).

The significance of the later phase in the children's act project cannot be ignored. It set the foundation against which a larger roll-out was able to commence, initially with HPCA and Street Law (Wits) implementing a training project under auspices of HPCA. This initial training programme was offered to hospice affiliates only yet, as the year progressed, and as the partnership between HPCA and government strengthened, the training programme also adjusted to include partners from government departments such as, DSD, DoH and Legal Aid. In these confirmatory training workshops, with the increased involvement of government partners, the beginnings of a new network structure can be seen to develop, consolidating the experiences of both organisations and providing an opportunity to build new relationships between public and private actors.

Chapter 8 : Conclusion – theoretical interpretation and recommendations

8.1 Introduction

The focus of this study is on specific strategies developed to improve the knowledge and capacity of resource people working with vulnerable children in communities throughout South Africa[1195]. The strategies developed aim to address childhood poverty and child vulnerability, founded on the belief that such challenges are inextricably bound in the wider picture of poverty, inequality and the rights of all South Africans. In this context it is argued that children's rights and interests need to be promoted and protected yet to achieve this there is a need to focus on securing greater social justice for all — for adult and child alike. To address these social justice issues calls for the provision of effective, accessible services and resources whilst developing, at the same time, the capacity of individuals to access these services. If people remain unaware and are unable to access essential services then the promises made by government to protect, care and improve the lives of all in South Africa, will remain paper promises.

Problems of poverty and childhood vulnerability are 'wicked problems' because of their inherent complexity and the fact that they defy clear definition. An appreciation and understanding of the complexity of these issues and the realisation that 'no single actor …can have all the knowledge and information needed...to dominate a particular governing model'[1196], is seen in policies developed in the arena of child rights and child vulnerability. In this setting classical hierarchical forms of operating are replaced by new ways of collaborating with multiple stakeholders through network structures. This is needed in order to address the call for improved delivery of services. Government's recognition of this need was enunciated clearly by Dr Zola Skweyiya when she stated:

> 'Active participation of all relevant stakeholders is needed to ensure the realisation of child rights in South Africa. The draft National Policy for the Advancement and Coordination of Child Rights (2008) recognises the importance of 4 pillars of society in child-centred governance, namely: 1) Government; 2) Parliament; 3) Civil Society; and 4) Independent bodies (such as the Human Rights Commission, the Youth Commission, and the public protector). Co-operative governance structures create the forums necessary to bring

[1195] Informing about (demystifying): legal rights and processes; access to services and referrals, and building networks of support.

[1196] Laws, D. & Hajer, M. 2006. 'Policy in Practice'. In: M. Moran, M. Rein & R. Goodin (eds.), *The Oxford Handbook of Public Policy*, page 413

these role-players together'[1197].

8.2 Research objective and process

The argument made in the study is that an examination of the way in which actors interact within a network contributes toward evaluating the structure of the network — the way it is built and how it functions. The two case studies, the children's act and succession planning projects, are seen as ideal sites for an investigation on interactions taking place between state and non-state actors in a network arrangement. The dual study offers an opportunity for a unique, in-depth exploration of policy making which involves a variety of actors at different levels and phases during the policy process.

This is a desktop, participatory, case study aimed at learning about and adding to prevailing understandings of the place of network policy making in the international world of public policy. A variety of research tools are utilised to achieve this objective. These range from documentary reviews, observation, interviews, focus group discussions and surveys.

The primary research question broadly focussed on the actors involved in realising substantive policy objectives:

> How and with what effect do institutions, such as the DSD, UNICEF, NACCA and stakeholders from civil society, work together to realise the substantive policy objectives as anchored in the principles of the Constitution of South Africa, situated in the field of childhood poverty and vulnerability?

To provide answers an examination was made, in chapter four, of procedural policy developed; focussing on actors and their engagement in formulating policy whilst integrating the policy network concept in a study of the policy process. Valuable contributions to furthering the interests of children were made by CSOs during the policy making process (discussed in section 8.3). A shift from hierarchical to horizontal, from government to governance is noted and within certain contexts, increased public participation and cooperation is emphasised.

The second part of the empirical study focusses on the implementation of policy developed within a network. Section 8.4 sets out the qualitative findings emerging from a cumulative analysis of the two case studies introduced in chapter 5 and carried out in

[1197] Giese, S. & Saunders, B. 2008. *A rapid review of Co-operative Governance structures relevant to Children in South Africa*, page 8.

chapters 6 and 7. The qualitative part of this phase looks at actor interactions in the network, examining: 1) the network structure, related to actor roles, organisation and management; and 2) the network actors, their perceptions, views and the influence of institutional culture on relationships. The findings reveal the inherent complexities of multi-actor arrangements, clearly indicating that strategies adopted, in a network setting, fall outside the control of 'hierarchical power, direct surveillance, or detailed contracts'[1198] thus responding to the first sub question which asks:

> How, and in what way, do actors working within a networking arrangement make progress toward meeting the needs of OVC as set down in policy and implemented through the two case study projects — children's act and succession planning projects?

The final part of the analysis seeks to evaluate the outcomes achieved in the case studies, utilising both qualitative (in the succession planning and children's act projects) and quantitative (in the succession planning project) methodologies, in order to answer the second sub question which asks:

> What was the impact of capacitating a network of resource people — as identified in the two case studies — on the target audience and what is the potential for ongoing program development in this area?

In terms of the succession planning project, the multi-dimensional nature of the case study — involving a large number of actors at the high and low end of the network — and the geographical placement of trained resource people and OVC called for the use of a wide variety of unique data sources. Therefore a quantitative dimension was added, utilising surveys to gather data from service providers, positioned in communities throughout South Africa, at the lower end of the network. The survey data gathered was used to create maps, through geographical information system (GIS) which are analysed to determine the geographical impact of the succession planning project on the community and the actors involved. This in turn measures the effectiveness of the training and establishes the extent of the network of resources developed — determining whether resources developed are aligned with needs, thus building a complete picture of implementation within a networking environment.

The final analysis then briefly examines the potential for improvement in practice whilst constantly bearing in mind the ultimate goal of improved access to social justice for all.

[1198] Edlenbos, J. & Klijn, E. 2007. 'Trust in Complex Decision-Making Networks: A Theoretical and Empirical Exploration', *Administration & Society,* 39 (1), page 26.

These findings are discussed in sections 8.3 and 8.4 respectively.

8.3 Advancing the rights of children: The role of policy networks in policy making

For the purposes of building a foundation on which the empirical part of the research is based, chapter four tracks the systematic development of the child rights agenda in South Africa, concluding with the development of policies aimed at poor and vulnerable children. The chapter draws attention to the crucial role played by non-state actor networks when participating, with the state, in policy processes geared toward formalising children's rights — from goal setting, policy formation and adoption.

This section highlights the key points at which non-state actors participated in the policy process as policy networks, indicating their influence in a number of ways. Firstly international agencies, such as UNICEF, and national organisations came together to develop the National Programme of Action for Children (NPAC). This initial process led to the inclusion of child rights in the Constitution and the decision, by government, to develop a comprehensive children's law in South Africa. Second the Children's Bill progress through Parliament illustrates the strong advocacy role played by CSOs, contributing to the creation and adoption of the Children's Act. Finally non-state actors participated actively with the state in developing policies and strategies aimed at the protection and care of orphans and other children made vulnerable by HIV/AIDS.

8.3.1 Contributions to change: CSO networks in formulating policy

This study on policy networks specifically focusses on the interactions taking place, between state and non-state actors, examining the points at which non-state actors influence or substantially impact on the policy process. Traditionally public policy making was seen as the primary responsibility of government yet over time policy making has expanded to include other non-state actors in the process. The participation of non-state actors in the development of policy draws attention to the shift in focus from government to governance where the process of governing has widened and 'become more complex with the advent of the network society'[1199]. In South Africa although '(p)ublic policy making in the national sphere of government is mostly

[1199] Tativess, S. & Walt, G. 2008. 'The role of state and non-state actors in the policy process: the contribution of policy networks to the scale-up of antiretroviral therapy in Thailand'. Health and Policy Planning, page 329.

concentrated in Parliament'[1200] the Constitution makes specific provision for public participation in all spheres of government and its policy-making processes[1201].

Where state and non-state actors collaborate together in order to address complex or wicked policy challenges, the interaction between public and private actors is said to take place within policy networks. Scholars refer to the relationship between these different actors as one of mutual dependency where there is an exchange and sharing of resources[1202]. The literature on policy networks offers a wide and diverse variety of models and perspectives on the policy network approach. These diverse approaches range from notions such as Haas' epistemic communities, consisting of professionals with policy-relevant knowledge — academics or experts — to Sabatier's advocacy coalitions[1203]. The scholars, Rhodes and Marsh, elaborate on the definition of policy networks and introduce the notion of a continuum where at either of the end points on the continuum one would find policy communities (tight policy networks) or issue networks (loose policy networks) [1204].

In the research, civil society is seen as playing a significant role in initiating and driving the early child rights movement forward, utilising networking strategies to promote and sustain the initiative. The involvement of CSOs in this process encompassed a variety of network approaches from advocacy coalitions, with international networks, to issue networks or a policy community in the form of the National Programme of Action Steering Committee (NPASC). One of the first strategies adopted by civil society was the formation of South Africa's first child advocacy network and first national structure, the National Committee on the Rights of the Child (NCRC), earmarking the 'consolidation and coming together of CSO's with a common intent and goal'[1205]. As an umbrella body with broad and open membership — over 200 NGO's and CBO's working with children in South Africa — unequal power relations and infrequent interaction, the NCRC closely resembled the Marsh and Rhodes' description of an issue network.

At the time, CSO networks influenced government, through a variety of strategies, in

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[1200] Maseng, J. 2014. 'State and non-state actors in South Africa Public Policy', *AISA Policy Brief,* No 107, page 2.

[1201] Gumede, V. 2008. 'Public Policy Making in a Post-Apartheid South Africa: A preliminary perspective', *Africanus,* 38 (2), page 13.

[1202] Hajer, M. & Wagenaar, H. 2003. 'Introduction'. In: M. Hajer & H. Wagenaar (eds). *Deliberative Policy Analysis*.

[1203] Rhodes, R. 2006. 'Policy Network Analysis'. In: M. Moran, M. Rein & R. Goodin (eds.), *The Oxford Handbook of Public Policy*, page 434-437. Sabatier, P. & Jenkins-Smith, H. (eds). 1993. *Policy Change and Learning: An Advocacy Coalition Approach.*

[1204] Rhodes see note 1203.

[1205] Rama, S. & Bah, S. 2000. *Monitoring Child Rights in a Society in Transition: The Opportunities Afforded by a Transformed Statistical Agency and the Culture of Child Rights Activism*. http:/www.statssa.gov.za/publications/…/DiscussChildRights.pdf last accessed 29th July 2014.

prioritising children's rights and adopting the National Programme of Action for Children (NPAC). Both the NCRC and the NPAC were civil society initiatives developed outside formal policy processes and adopted later for implementation by government. Government's adoption of a policy plan developed by a network of organisations, external to the formal policy process, highlights the unique and important role that CSOs, including UNICEF, played in policy making in the field of children's rights. As was stated in the review of NPAC, '(a) group of NGOs and other critical organs of civil society helped give birth to the NPA process, and then handed it over to democratic government for implementation'[1206].

This unique participatory role of the CSO network persisted long after government took on the responsibility of the NPAC's implementation. The technical steering committee (NPASC) created by government, to oversee coordination and monitoring of the NPAC, resembled the tight policy community referred to by Marsh and Rhodes: integrated with specific membership; composed of government and non-government representatives; regular meetings with members; a common objective to oversee coordination, monitoring and implementation of the NPAC, and a specific and shared interest in furthering the child rights agenda.

Since1996, the child rights movement has undergone numerous shifts and changes in government's endeavours to mainstream children's rights and protections. DSD is now the department primarily responsible for the oversight and coordination of the child agenda and they continue to work in partnership with other non-state organisations, including UNICEF, to further the interests of children. In addition, government's commitment to further the best interests of the child and fulfil South Africa's international and national obligations ultimately led to the decision to develop a new all-encompassing children's law.

8.3.2 Policy networks and the development of a new children's law

The Children's Bill process similarly engaged with non-state actors during its formation and development, yet this engagement differed to that of the NPAC process. Unlike the NPAC process, where a strong CSO network acted as the catalyst for the formation of a policy plan for children, the responsibility for the formulation of the Children's Bill lay

[1206] The Presidency. 1999. *National Programme of Action: 2000 & Beyond*. www.children.gov.za/Publications/policies2.htm last accessed 5th November 2014.

within and was steered by government[1207].

Of significance to this study on policy making within a network environment is the period after the draft SALRC Bill was presented and prior to its progress through Parliament. This period marks the point at which non-governmental actors (NGOs) changed the way in which they engaged with government in the law making process. In response to a concern that the draft bill would be significantly diluted as it progressed through the legislative process[1208], CSOs came together to 'participate in and influence' the legislative process[1209]. Conducting such a concerted campaign of this nature fell outside the capacity of most organisations as no one actor would be able to successfully mobilise, maintain and sustain the process alone[1210]. This type of campaign called for a broad, multi-actor process where the expertise and resources of many could be utilised through strategies aimed at influencing government whilst operating alongside the formal process.

The period after the bills progress through the executive, highlights a turning point in the way in which CSOs, as a network of organisations, participated in and contributed toward policy making. Up until this time CSOs acted as a loose and diverse body of actors in an issue network, sharing a common interest in children's issues yet working separately from and independent of each other. After the tabling of the revised draft bill in Parliament, CSO's, through the CSO campaign, were galvanised into actively and noticeably increasing the level of public participation in the policy-making arena. Initially this active engagement was focussed on utilising a lobbying and advocacy role. This strategy then intensified as the revised bill progressed through Parliament where CSO engagement was identified as 'an example of concerted action by civil society and child rights champions within government to influence policy-making'[1211].

The Children's Bill Working Group, responsible for driving the campaign forward, consisted of a core network of national umbrella organisations (45 NGOs and CBOs) offering a broad array of skills, technical knowledge and resources. The Working Group utilised a variety of strategic interventions ranging from: lobbying and advocacy; communicating and sharing information with a variety of roleplayers and with peripheral network members; developing alliances with legislators and strategic partners; building

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[1207] Intragovernment.

[1208] Budlender, D., Proudlock, P. & Jamieson, L. 2008. *Developing Social Policy for Children in the Context of HIV/AIDS: A South African case study,* page 26.

[1209] Budlender *et al.* see note 1208.

[1210] Children's Institute therefore received funding to drive the campaign forward.

[1211] Budlender *et al.* see note 1208.

strong partnerships with DSD; participating in and contributing toward parliamentary portfolio committees; and adopting an evidence based research approach.

One defining strategy of the campaign was the use of evidence-based research which was carried out by a number of specialist, close-knit sub groups or epistemic communities. These sub groups, made up of experts in a specific focus area, reported back to the Working Group. This particular strategy provided the Working Group with the technical expertise and proven knowledge required for Parliamentary debates and led to their expert assistance being sought by both the executive and Parliament.

Other strategies adopted shared certain similarities with those used when developing the NPAC, ranging from building a common agenda (speaking with a common voice) within the CSO network and identifying and lobbying specific stakeholders from government — interacting with state actors over a period of time. As a result of the frequent interactions taking place between Working Group members and certain key actors in the executive, trust began to develop between the members in the Working Group and the executive. In addition, the Working Group's demonstration of expertise contributed to its acceptance into portfolio committee processes, as a policy community. Edelenbos and Klijn write of the role of trust in a network structure, identifying various sources of trust, two of which they refer to as competence-based[1212]. Here trust develops because an actor or actors have displayed: 1) functional trust where they show competence of a specific kind, having a specific knowledge or ability; and 2) interpersonal competence which relates to the actors having people skills and being able to work with people[1213].

Although government proceeded with the Children's Bill process without initially embracing CSO participation, it could be argued that were it not for the campaign initiated in early 2003 the Childrens Act would not be the same Childrens Act it is today. Thus CSO engagement in the public policy making process had a direct impact on the outcome of the Act. Nonetheless the campaign pursued by the Working Group is not typical of a policy network. Initially the focus of the campaign was on its lobbying and advocacy role with a strong focus on evidence based research. As a result of the combined knowledge and expertise of the group and the adoption of strategies that focussed more on cooperation than competition, the CSO network became integrated

[1212] Edelenbos & Klijn see note 1198 at 40.

[1213] Edlenbos & Klijn.

into the law making process. In proving its worth to the executive and legislatures this network of child experts and advocacy actors evolved into a policy community.

The process of growth and engagement illustrates the crucial role that CSOs can play in policy making where the voices of many can be integrated into providing solutions for tackling complex and often intractable social problems or 'wicked problems'[1214]. In a policy network a problem is shared through the exchange of information, debate, disagreement, persuasion and a search for solutions and appropriate policy responses[1215]. Therefore an important promise of a network is through the non-hierarchical structure and their ability to involve non-state actors' networks thus offering an opportunity to bridge the participation gap'[1216].

The next section briefly outlines the development of policy aimed at the protection and care of orphans and other children made vulnerable by HIV/AIDS (OVC).

8.3.3 The protection of OVC: Policy making in a policy network

The third policy in the study provided for OVC. It also forms the basis of the larger case study — the succession planning project. CSO engagement in the making of policy for OVC once again followed a different approach to that adopted in developing the NPAC and the Children's Bill. Drawing attention to the fact that in each of the three policy processes and since South Africa's transformation to a democracy, opportunities for public participation have taken on a variety of forms[1217].

From the onset the development of OVC policies took place in a typical policy network with DSD initiating the process in collaboration with strategic partners from civil society and international agencies such as UNICEF and Save the Children. At a national level the South African government developed and implemented 'national policies and strategies to build and strengthen governmental, family and community capacities to provide a supportive environment for orphans and girls and boys infected and affected by HIV/AIDS'. DSD, as lead department in overseeing the care of OVC, has shown its commitment to collaborate with a range of stakeholders in order to mobilise the additional resources required for policy implementation.

[1214] O'Toole , L. 1997. 'Treating Networks Seriously: Practical and Research Based Agendas in Public Administration', *Public Administration Review*, 57, page 45.

[1215] Stone, D. 2001. 'Learning Lessons, Policy Transfer and the International Diffusion of Policy Ideas', *CSGR Working Paper,* No 69/01, page 14-41. wrap.warwick.ac.uk/2056/1/WRAP_Stone_wp6901.pdf

[1216] Streck, C. 2002. 'Global Public Policy Networks as Coalitions for Change'. In: D. Esty & M. Ivanova, *Global Environment Governance, Options and Opportunities,* Yale, page 4-5.

[1217] Booysen, S. 2011. *The African National Congress And The Regeneration Of Political Power,* page 183.

The intention to work in an integrated and collaborative manner is illustrated through the establishment, by DSD in consultation with non-state stakeholders, of a multi-sectorial National coordination structure, NACCA. This is also illustrated in the statement from the South African Framework, 'no single ministry, department or sector can be solely responsible for addressing the consequences of the HIV and AIDS epidemic'[1218].

Since its inception, NACCA has been instrumental in developing the policy framework and the subsequent NAPs for OVC 2006-2008; 2009-2012, and; 2013-2017. Within the broader NACCA structure sits the NACCA Steering Committee, a close-knit policy community composed of selected representatives from government and civil society who, over the study period, met on a regular, six weekly basis. This close-knit group is the permanent coordinating structure that oversees and manages key policy processes, sources available funds and ensures the implementation of the NAPs for OVC. The same group was responsible for the introduction and implementation of the succession planning project which is the primary case study in this research.

Because of the complexity of problems caused by HIV/AIDS, government recognises the value of utilising a variety of resources and services (CBOs and NPOs) operating within communities in South Africa. The research illustrates that the response by government has resulted in the emergence of a policy networked environment where strategies developed are interrelated and integrated for improved implementation. In this context, government has specifically advised practitioners to develop approaches with a particular focus on joint planning and partnership sharing in order to provide the necessary multi-dimensional support to OVC[1219].

The research demonstrates that over a period spanning almost two decades, policy making — with respect to child rights and protection — is dynamic, utilising policy networks at various, albeit differing stages of the policy making process, from formulation to implementation. It illustrates that public participation is 'differently available' for individuals and organisations[1220]. It also provides an indication that policy processes have shifted and are no longer dominated by state actors alone, particularly in policies relating to child protection and rights. It highlights the integral role played by non-state actors in identifying issues, participating in the agenda-setting stages and also contributing to the actual development and implementation of policy.

[1218] Department of Social Development (DSD). 2005. Policy Framework on Orphans and other Children made Vulnerable by HIV and AIDS, page 16.

[1219] DSD. 2005. National Action Plan for Orphans and Other Children made Vulnerable by HIV/AIDS 2006–2008, page 8.

[1220] Booysen see 1217 at 183.

The study shows that CSO engagement from within a policy network has a direct influence on the policy outcome, but this comes at a price. In terms of the Children's Bill campaign the Working Group was able to continue participating because of extra funding received without which the campaign could not have sustained itself. In the NACCA process, the continued engagement of the various umbrella organisations, with the state, was due to the support and guidance of international agencies such as UNICEF and Save the Children Fund. This highlights the point made by Friedman, that public participation is often only for those who are able to participate as they have the necessary resources, expertise and knowledge. In this context the poor and more vulnerable members of our society will continue to be excluded from these processes and their voices will continue to remain unheard[1221].

Clearly in context of formulating and adopting policies in the child arena, networks exist and have impacted on the policy outcome. Nonetheless in spite of the introduction of a more collaborative and integrated approach in policy making the concern remains whether practitioners, from state and non-state, fully understand what it means to work within a network structure, particularly with respect to delivering services and implementing policy objectives. The following section highlights the key findings made during implementation of the activities and programmes identified in the policies that were discussed in chapter 4 and outlined in section 8.3.

8.4 Implementation of policy through a policy network

The literature on policy networks argues that when governments are confronted with wicked social issues the centralised hierarchical approach is inadequate and often unable to address the complexities of the modern world[1222]. In these situations the capacities of many can be integrated into providing solutions for tackling complex and intractable social issues[1223]. The promise of a network structure lies in involving non-state actor networks through a non-hierarchical approach thus offering an opportunity to bridge the participation gap and access the broad community networks that CSOs often represent[1224].

Although policy networks have emerged in response to the complexities of modern

[1221] Friedman, S. 2005. `A Voice for Some: South Africa's Ten Years of Democracy'. In *Electoral Politics in South Africa: Assessing the First Democratic Decade,* page 4.

[1222] Sandström, A. & Carlsson, L. 2008. The Performance of Policy Networks: The Relation between Network Structure and Network Performance. *Policy Studies Journal;* 36 (4), page 497-524.

[1223] O'Toole see note 1214 at 45.

[1224] Streck see note 1216 at 4-5.

policy making and implementation they carry with them an inherent set of challenges. The literature[1225] raises legitimate concerns about the horizontal self-coordination of actors with differing interests and resources saying that they are 'prone to produce sub-optimal outcomes; such bargaining systems tend to be blocked by dissent, preventing the consensus necessary for the realisation of common goals'[1226]. Furthermore, implementation within a policy network introduces additional uncertainties, involving a multi-actor and multi-level engagement from government and across diverse CSO groupings, calling for a number of sub-networks and peripheral stakeholders who participate outside the core network. Rhodes points out that in such a context there is no system, 'just disparate, overlapping demands'[1227]. In such a broad network, organisations may be able to hold the relevant state officials and politicians to account but who will hold the set of organisations to account?

This section highlights the challenges and the successes encountered in the implementation of the policies identified in section 8.3. It is argued that the strength of a policy network approach lies in the belief that implementation of policy is viewed as an important phase of policy making and that 'it is only by examining the implementation phases that we can begin to gauge the effectiveness of community policies in relation to the objectives sought'[1228]. Chapters 6 and 7 of this thesis provided both a qualitative and quantitative analysis of the implementation process offering a comparison between the two case studies — the succession planning and children's act projects.

Both case studies shared objectives as policy projects aimed at: 1) capacitating resource people in the field; and 2) bridging the gap between lived-reality (de facto) and existing legal rights and protections (de jure). The projects followed similar phases of implementation categorised into: 1) strategic planning; 2) research, design, and development; 3) piloting of workshops; 4) workshop roll-out; and 5) confirmatory workshop follow up. The two projects differed with respect to their size and duration; the continued support and utilisation of necessary resources; and the ongoing presence of key actors from DSD and UNICEF.

[1225] Börzel 2010; Besussi 2006; Klijn & Koppenjan 2000.

[1226] Börzel, T. 1998. `Organizing Babylon – On the Different Conceptions of Policy Networks'. *Public Administration.* 76, page 261.

[1227] Rhodes see note 1202 at 425.

[1228] Bache, I. & Marshall, A. 2004. 'Europeanisation and Domestic Change: A Governance Approach to Institutional Adaptation in Britain. *Queens Papers of Europeanisation,* (4), page 8.

8.4.1 Implementation in a policy network: A comparative qualitative study on the succession planning & children's act projects

In this section, key characteristics of a network structure are highlighted during each of the implementation phases. The case studies are compared from planning to piloting of the projects (Phases 1 to 3) and from workshop roll-out to the confirmatory workshop phases (Phases 4 to 5). The research reveals that two broad but important aspects impact on the success or failure of policy networks during implementation: 1) importance of acknowledging the unique organisational structure of a network — leadership, management and the use of network strategies; and 2) building relationships in a network — the influence of actor perceptions and the value of trust.

In the two case studies the smaller of the two projects, the children's act project, serves as the litmus test for illustrating that within a network structure people must actively work together not only to achieve a common outcome but to build sustainable relationships and develop trust. During workshop roll-out of the project (Phase 4), achieving a successful outcome became less important than ensuring the continued strengthening of actor relationships. The children's act project also illustrated, during planning and materials development (Phases 1-2), that when time is limited and opportunity for relationship building is tight, the innovative strategies adopted and the skills of the network manager come into play.

In the succession planning project the reverse happened. During the planning and the materials development phase (Phases 1-2) relationships had space and time to develop and this period is marked by a natural evolution where actors interacted and cooperated without the direct steering or facilitation by a manager. During the pilot and roll-out of training (Phases 3-4) a clear shift is noted where — with the integration of additional members into the network, including a network manager — complexity increased, interpersonal relationships deteriorated and accountability became more diffuse. The period is marked by an increase in conflict, chaos and confusion. The focus shifted from relationship building to task completion. Strategies such as mobilising support and mutual goal setting were overlooked. These were replaced by traditional strategies better suited in a hierarchical system. Nonetheless the succession planning project was cited, by both UNICEF and DSD, as a success and that the project (NAP) objectives were well met with 1211 participants being trained. Unfortunately this same success cannot be said to apply to the relationships in the network and after completion of the 2011 roll-out the network ended abruptly.

8.4.1.1 Organisational structure: Leadership and accountability in a network

When actors work together in a collaborative way in order to achieve a common goal or solve a shared problem they are often operating within a network structure. In this context actors are linked to one another because of their mutual resource dependency which means without each other they will not be able to achieve their common objectives[1229]. These mutually interdependent relationships are built on trust and rely on actor cooperation, unlike a traditional hierarchical relationship which is based on classical command and power[1230]. In this networking environment no one actor has the authority to 'unilaterally dominate and predetermine strategic actions of the other network members'[1231]. This means that in a network the aim is to move actors, who often have differing views and perceptions, into working 'cooperatively and productively' in a stable relationship in order to get the necessary results[1232].

Keast *et al.* state that although the distinguishing feature of a network is that no-one is in charge there certainly are lead actors or agencies who set up the formal rules and processes[1233]. They also point out that some network actors possess formal power through their resources or state legitimacy but for effective network operations they cannot and should not resort to the unilateral use of this power. In the two projects, actors with formal power were DSD and UNICEF, and in the pilot (Phase 3) of the children's act project, HPCA. At all times interaction between these and other actors in the network remained 'sensitive to the needs' of participants and stakeholders and focussed on maintaining interpersonal relationships and supporting partnerships.

During the workshop roll-out (Phase 4) of the succession planning project the National Organisation, responsible for administrative support, elected to act outside the structure of the network and at times outside its own mandate. On these occasions, neither DSD nor UNICEF resorted to making use of their formal power. Without checks or balances on its actions the National Organisation struggled to understand or apply the notion of mutual interdependence, adopting 'go it alone strategies', centralising control and ignoring existing processes. When the enormity of the role it had adopted became too

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[1229] Sandström. & Carlsson see note 1222.

[1230] Kickert, W., Klijn, E. & Koppenjan, J. 1997. 'Introduction: A Management Perspective on Policy Networks'. In W. Kickert, H. Klijn & J. Koppenjan, Managing Complex Networks, page 6.

[1231] Badran, A. 2011. 'The Potential of the Network Approach for Analysing Regulations and Regulatory Processes: Empirical Examples from the Egyptian Telecommunication Sector'. *International Journal of Politics and Good Governance, Volume 2 (2.1) (1).*

[1232] O'Toole see note 1214.

[1233] Keast, R., Mandell, M., Brown, K. & Woolcock, G. 2004. 'Network structures: working differently and changing expectations', *Public Administration Review*, 64 (3). 363-371.

overwhelming, the National Organisation proceeded to predetermine the strategic actions of other network members such as the project manager and Street Law (Wits).

The issue of accountability is a key factor in such instances. Rhodes suggests that unlike the state, actor organisations can act as checks and balances on each other[1234]. Where this fails, as in the succession planning project, the presence of a shadow of hierarchy (cast by government) can reduce the incentive of actors to renege on their voluntary commitment, particularly in the case of self-coordination of non-governmental actors[1235]. In the succession planning project this did not happen. The primary reason being that, although a network structure existed, the strategies implemented by UNICEF and DSD prior to the project's commencement[1236] were ill-suited to cope with the complexities inherent in a networking environment. This became apparent when the network expanded to include additional actors — Wits Enterprise and the National Organisation — during the pilot and workshop roll-out (Phases 3-4). In these instances strategies aimed at mutual planning or mutual problem solving were not introduced thus perpetuating the uncertainty and misperceptions held by many of the actors involved.

In this case it is argued that, for networks to offer an effective system of operating, practitioners and decision makers, in the public and private sector, need to begin to understand that working within a network structure calls for change, at a policy level and in the utilisation of specific strategies and approaches during implementation. All too often actors adopt a classical, vertical, form of operating that moves the focus away from optimising interorganisational cooperation and falling back into adopting a 'business as usual approach' or trying to take control[1237].

8.4.1.1.1 Network management: An implementation strategy

The Dutch school views network management as fundament to addressing the complexities and uncertainties that exist within a network structure. Yet management of a network is not a stand-alone response to coping with the diverse and at times divergent views and differing strategies of the various actors involved (state included). Network management is one of a variety of strategies that can be utilised to coordinate complex interaction settings in a networked environment[1238]. And the network manager

[1234] Rhodes see note 1202.

[1235] Börzel see note 1226.

[1236] And at various stages throughout implementation.

[1237] Keast *et al.* see note 1233.

[1238] Kickert *et al.* see note 1230 at 11.

or managers are not regarded as typical managers. In a network the manager/s adopt a more facilitative role in order to handle the variety of actors and activities that are fundamentally procedural in nature[1239]. Klijn and Koppenjan say that the network manager needs to be a skilled mediator and motivator, with the role of network manager not necessarily being the role of one central actor[1240].

In the children's act and succession planning projects, a variety of strategies were identified, though not consistently utilised during implementation. These ranged from: introducing an iterative process; conducting strategic planning sessions; identifying roles and responsibilities prior to implementation; utilising a task team for overseeing overall implementation; and, identifying project coordinators or project managers prior to or during implementation. In both projects there were project managers yet their roles differed significantly. The project manager in the children's act project had institutional support, with HPCA already acting as a national umbrella body for a large number of affiliates, networking was an integral part of their business. This translated into a culture of cooperation and interaction in order to get things done. The project manager adapted easily to her role as a network facilitator, providing the space for relationships to develop without the influence of institutional complexity or inflexibility. In the succession planning project the situation differed significantly.

During the pilot and roll-out of training (Phase 3 and 4) of the succession planning project a number of management dilemmas plagued the process, diverting attention away from the project, causing relationships to falter and conflict to emerge. As a result of the late introduction of an external network manager in the pilot phase, earlier progress made during the foundational phase was lost and the project struggled to get off the ground. The addition was carried out without using any preliminary or introductory strategies which meant neither the network manager, nor other stakeholders, were certain of the role the manager was expected to play. This resulted in the manager adopting a hands-off approach, often delegating responsibilities to administrators who lacked the requisite skill and authority to carry out management tasks. The manager's distance from the project noticeably impacted on actor interaction and trust building, additionally when certain management tasks remained incomplete other actors were blocked from carrying out their own tasks.

[1239] Kickert, W. & Koppenjan, J. 1997. 'Public Management and Network Management: An Overview'. In: W. Kickert, H. Klijn & J. Koppenjan, *Managing Complex Networks,* page 49.

[1240] Klijn, E. & Koppenjan, J. 2000: Public Management and Policy Networks, *Public Management: An International Journal of Research and Theory,* 2 (2). page 135-158.

This phase further highlighted the problems of accountability within a network where other actors felt powerless when confronted with an actor who appeared indifferent to their concerns and to the overall aim of the project. The lack of accountability within the network, of non-state actors, proved to be a fundamental weakness of the network structure throughout the pilot and the training roll-out (Phases 3 and 4).

During training roll-out similar dilemmas arose. This was due to the fact that: the strategies utilised were better suited to a more hierarchical organisational structure, proving ineffectual in a network; and, that the original management team, responsible for project oversight — project manager and the task team — were not supported by the National Organisation who centralised management using power and control to steer the process. This uneven distribution of power resulted in a limping structure. Actors from DSD, UNICEF and Street Law (Wits) were interacting with one another in an open and collaborative manner but the National Organisation chose to function outside of this network. It was therefore inevitable that cracks emerged, relationships broke down and trust was lost. As Edelenbos and Klijn point out, trust is fragile, it takes time to build and can easily turn into distrust if not handled delicately. They also say that trust can diminish even more if there are no conflict rules already in place to deal with the issues that can arise amongst a diverse mix of actors[1241]. In the succession planning project strategies aimed at addressing conflict resolution, accountability and collaboration amongst diverse actors were noticeably overlooked which meant that when conflict did occur no processes were in place to deal with it.

8.4.1.1.2 Network strategies: building relationships between network actors

Most writings on the implementation of policy in policy networks emphasise the importance of building relationships and identify the need to adopt certain key strategies to cope with the realities of working with a diversity of actors in a network structure[1242]. In the succession planning project, unlike the children's act project, the planning process adopted, before the training roll-out, was specifically oriented toward the delivery of training workshops through-out South Africa. At no point was there an acknowledgement of the range and diversity of the actors participating in the network, as a result no strategies were introduced that focussed on building actor relationships, improving mutual perspectives or adjusting to operate from within a network structure.

[1241] Edelenbos & Klijn see note 1198.

[1242] O'Toole, Klijn and Koppenjan speak of joint planning, mutual perceptions. Rhodes 1997 speaks of operating in an 'institutional void'. All highlight the value of trust, communication and building relationships in a network.

Klijn and Koppenjan[1243] highlight key strategies that can be employed in a network these range from the: selection and activation of actors in the network, making sure that the correct actors are involved and motivated; improving the 'mutual perceptions' of diverse actors about an issue by 'creating a minimum convergence of perceptions' and also at 'creating packages of goals which are acceptable' to the actors involved; creating temporary organisational arrangements so that interactions between actors can be maintained and strategies coordinated; and introduce means that assist with improving interaction and supervision of the network, using both process approach and conflict management[1244]. O'Toole[1245] goes on to suggest that 'those seeking to influence networks toward cooperation often need to attend to their strategic contexts and not merely seek a common rationale to unite disparate actors. They will need to look for acceptable compromises, convince participants to alter perspectives and invoke the shadow of governmental intervention'[1246].

In the research these key strategies were regarded as integral to an evaluation of network implementation through the lens of the policy network approach. In examining the strategies adopted or ignored in the two case studies, the strategies identified in the literature were used as a yardstick against which the effectiveness of implementation was measured. During the study, certain strategies were also identified as important to building and maintaining the network during project implementation. In this way the study tested, verified and then expanded on certain of the strategies highlighted by Klijn and Koppenjan and O'Toole, examples of these outcomes are listed at page 347-348.

In the succession planning project the much shortened strategic planning process, introduced at the commencement of training roll-out, followed a more traditional, linear planning approach. This resembles a corporate form of strategic planning which differs from the approach needed in a network structure where a more flexible, inclusive and interactive methodology is required. The end result may ultimately be the same but the steps taken to achieve this differ significantly where, in the absence of a focus on relationship building through improved interaction, the alternative will be to regulate actor cooperation through rules and sanction[1247]. The research shows that cooperation in a complex network is enhanced by an increase in levels of trust, without which

[1243] Klijn & Koppenjan see note 1240.

[1244] Klijn & Koppenjan see note 1240.

[1245] O'Toole, L., Hanf, K. & Hupe, P. 1997. 'Managing Implementation Processes in Networks'. In: W. Kickert, E. Klijn & J. Koppenjan (eds), *Managing Complex Networks: Strategies for the Public Sector*, page 150.

[1246] O'Toole *et al.*.

[1247] Edelenbos & Klijn see note 1198 at 27.

project objectives can be achieved but at a cost. In the succession planning project, where actors interacted infrequently, trust failed to develop, in its place increased levels of opportunistic behaviour, conflict and distrust emerged. These relationships of distrust ultimately disintegrated and impacted on the sustainability of the project.

During training roll-out many of the management strategies utilised by the National Organisation focussed on centralising control, with little to no focus on improving interaction or cooperation amongst the various actors. This approach led to persistent communication blockages, ongoing misperceptions and misunderstandings, and conflict, which inevitably contributed towards an increase in distrust of the process and of the National Organisation's motives. The fundamental argument being made here is that utilising traditional techniques — more suited to a top-down, centralised structure — within a structure that is horizontal in nature will ultimately prove ineffectual. Through the research certain practices were revealed that countered the positive effects of adopting policy network practices. These practices were indicated during the roll-out of the succession planning project in the following situations:

1. During the initial planning meeting: actor mobilisation was not adequately addressed. Certain key stakeholders were not present. No joint planning or 'joint visioning' took place so the opportunity to improve mutual perceptions was lost, which perpetuated the uncertainty and complexity inherent in a networked arrangement[1248]. This in turn contributed to communication breakdown, blockages, conflict and the emergence of opportunistic behaviour by specific actors at certain stages of the roll-out;
2. The creation of a package of acceptable goals: The time period set aside for facilitator training presented an additional opportunity to develop shared strategies and mutual goals. At no point during this period were any strategies discussed with the actors responsible for the logistics and training in the project;
3. Introduce the means to assist with interaction and supervision and conflict management: After the incident involving the DSD coordinator from Gauteng, there was an opportunity for the project manager, task team and National Organisation to come together and address the problems that were confronting operations. At no point was attention given to improving interpersonal relationships and to introduce mechanisms aimed at addressing future conflict;
4. Convince participants: to alter their perspectives, develop acceptable

[1248] Minutes of this meeting were never circulated.

compromises and if this fails to invoke the 'shadow of governmental intervention'. After conflict occurred for the second time, with the DSD coordinator in the Western Cape, the task team, in consultation with UNICEF and DSD, should have come forward, addressed the situation and adopted strategies that would draw actors back into the network.

When the incident occurred, between the National Organisation and the Gauteng DSD coordinator, additional processes were introduced aimed at improving communication and information sharing amongst actors. When pressure mounted the National Organisation once again struggled to work collaboratively with other actors in the network; indicating that certain organisations — used to a centralised management approach — will struggle to adjust to a more horizontal setting. Typically management in a hierarchy focusses less on developing interpersonal relationships and building trust, and more on centralising authority and using rules to get the job done.

These four situations not only highlight the crucial role that certain strategies play within a networked environment but they also highlight the importance of developing interpersonal relationships in a network.

8.4.1.1.3 Network relationships: Increasing cooperation through trust

In a network actors are dependent on one another to achieve their objectives. Therefore it is ludicrous to believe that in any network setting actor relationships can be viewed as anything but essential. Without network relationships a network cannot function effectively. If the task becomes too complex and riddled with conflict or uncertainty, actors will withdraw from the process ultimately destroying the network or recreating a new structure to take its place. Authors such as Klijn and Koppenjan and Keast *et al.* write of the importance of actor relationships in a network in order to improve cooperation and achieve the necessary results. Edelenbos and Klijn highlight the crucial role played by trust in a complex horizontal arrangement. Without trust they say cooperation is hampered because trust acts as a catalyst for cooperation between actors, leading to mutual commitment without the need for control mechanisms[1249]. They also point out that 'the absence of trust from public administration literature may be a reflection that an alternative to trust as a mechanism is regulations'[1250].

In the succession planning project, trust did exist between certain actors and in those

[1249] Edelenbos & Klijn see note 1198 at 31.

[1250] Edelenbos & Klijn at page 27.

circumstances interaction was fruitful and sustained. These relationships of trust developed during the early phases of the project but, as a result of ineffectual and inappropriate communication in the pilot and training roll-out, some of these relationships were damaged. In one particular incident, between a DSD coordinator and the National Organisation, trust that previously existed was destroyed when the actor involved adopted an inflexible stance, choosing to play a blaming game. Although the problem was rectified and the training did take place, the failure of the National Organisation to accept responsibility and apologise, led to the coordinator losing faith in the project. Although she continued cooperating in her professional capacity she stated openly that she no longer trusted or respected certain actors involved in the process.

This same break down of trust was felt by the project manager in her relationship with the National Organisation, she similarly continued to operate in a professional capacity but was not prepared to continue interacting with the National Organisation after the project ended. In both cases trust was destroyed. This impacted on the ability of actors to interact in the network and in order to continue operating much of the interaction was carried out through representatives, more formally and in a distant manner.

This was removed from what took place in the children's act project, in spite of the fact the training on the Children's Act was unsustainable for various reasons[1251], the relationship and respect existing between Street Law (Wits) and HPCA continued to grow. This meant that over a period of time a new and sustainable network arrangement emerged with training that combined palliative care and law. In this new arrangement the network evolved to include actors who were NPO affiliates of HPCA, representatives from the Department of Health and from the Legal Aid Board.

What the study reveals is the value that trust brings to the successful coordination of a network. When trust is present, relationships have the space to develop and actors choose to cooperate with one another, they are not forced. Keast *et al.* say that, '(t)rust seems a very promising coordination mechanism in a modern network society where public and private organisations are increasingly horizontally related'[1252]. The children's act project illustrates that frequent interactions — where there is a high degree of reciprocity in sharing knowledge and skills — coupled with flexibility, all contributes to increasing levels of trust and respect between actors. In addition actors who trust one

[1251] One of which was the fact that DSD and UNICEF ended their support of the project, after materials development, reducing the opportunity for sustained training of a wider selection of participants. The other was the lack of buy-in from Cotlands Soweto participants and the institutional changes taking place in Cotlands Turffontein.

[1252] Keast *et al.* see note 1233 at 26.

another adjust their perceptions about each other, particularly with respect to the competency of the actors with whom they engaged.

Where actors begin to interact with one another their perceptions, experiences and the influence of an institutional culture, can introduce certain social and cognitive fixations which may lead to network blockages. In the succession planning project the perceptions held by various actors during training roll-out most certainly impacted on different network actors and on internal network functions.

8.4.1.1.4 The impact of actor perceptions on network functioning

Termeer and Koppenjan argue that an actor's perception of a situation can introduce blockages in policy processes, just as much as conflicts of interest and power relations[1253]. They state that, '(i)n order to solve social problems in policy networks, joint action is needed'[1254]. A prerequisite for this joint problem solving, or joint action, will be to ensure there is mutual adjustment of actor perceptions requiring strategies that can address both the social and at the cognitive dimensions of processes of interaction[1255].

The perceptions held by the National Organisation that persisted throughout workshop roll-out (Phase 4) were never adequately clarified. This resulted in the National Organisation following through on a belief that it had a 'right to take over control' of the project. This is because historically the organisation's projects were primarily funded by international agencies. In these funded projects the National Organisation had complete control over its resources and the extended programmes it oversaw. This resulted in an ongoing misperception that the National Organisation had received funding from UNICEF and was contractually obligated to take charge of the project. The subtleties of being part of a cooperative agreement where technical support was being provided to NACCA and DSD (to meet policy objectives) was never fully understood nor explained. This is illustrated in the choice of language used when interacting with other actors, particularly with DSD. Unfortunately these misperceptions significantly contributed to the inflexible and authoritarian manner that it adopted when communicating with DSD and the project manager. This directly impacted on the National Organisation credibility and actors rapidly became wary of interacting directly with the National Organisation.

The succession planning project illustrated most poignantly that when operating within a

[1253] Termeer, C. & Koppenjan, J. 1997. 'Managing Perceptions in Networks'. In: W. Kickert, E. Klijn & J. Koppenjan. 1997. Managing Complex Networks, page 79.

[1254] Termeer & Koppenjan at page 79-80.

[1255] Termeer & Koppenjan at page 97.

system that is horizontal in nature, hierarchical structures, strategies and attitudes will inevitably negatively impact on both the network organisation and the actors operating within the network structure. In the succession planning project the National Organisation ignored the expertise and resources of the other actors involved. This led to network break down. It illustrated that, without the involvement of other network actors, implementation could not take place. It also showed that no one actor can run a complex project, of such a large size, alone and that without the resources, buy-in and cooperation of the other actors, the project could fail.

In the study the focus is on two core dimensions of network operations, the first dimension is at the level of identification and bringing together of suitable stakeholders who are best able to achieve the intended policy objectives. The second dimension focusses on the way in which the network operates internally, and the impact of network operations on the ability of network actors to realise substantive policy objectives. To evaluate the realisation of intended policy objectives, the case studies were examined using qualitative (in succession planning and children's act projects) and quantitative (in succession planning project) methodologies. The findings from the comparative qualitative approach are discussed in section 8.4.1. The findings from the quantitative approach used in the succession planning project are set out in section 8.4 2.

8.4.2 Quantitative network analysis: Mapping the outcome of the succession planning project through GIS analysis

The succession planning project was divided into two parts. The first part of the study was a qualitative, comparative study of the implementation process adopted in the project. This part of the project was compared to the children's act project as discussed in section 8.4. The second part of the succession planning project examined the measurable outcomes of the quantitative GIS analysis. This section includes the findings on how successfully key areas are targeted, the effectiveness of the training on empowering delegates to assist their clients and the success of workshops in developing an extensive network through South Africa.

Pre-planning and target selection showed that the main problem areas were broadly targeted but in detail there was a mismatch between all categories of OVC problem areas and the numbers of delegates trained to assist them. This results in a shortfall of help for OVC in many of the major orphan problem areas. Hot spot analyses corroborated this finding as hot spots of OVC problem areas and those of trained

delegates were mismatched.

The effectiveness of the training on empowering delegates was estimated through delegate attendance at the workshops. This is based on the assumption that interested and motivated delegates would want to learn everything they could and would attend all the training days. In general, a high proportion of attendance was recorded (94%) but some areas in particular did show poor attendance figures with, in total, 177 days of training missed out of 3,021 days of training. This means that delegates, who missed one or two days of training, will be less informed than those who participated in the entire programme, this will downgrade their effectiveness in being able to provide assistance and guide and support their clients with respect to succession planning.

The success of the succession planning training project can be measured through the number of fully trained delegates and their spread through each of the district municipalities. This spread shows how extensively the network was developed and provides a measure of the potential impact the empowered delegates can have on their target audience. An examination of the numbers of fully trained delegates versus a recommended number per 1,000 OVC clients shows 41%of district municipalities have met the requirement which is a good result given the enormity of the problem. However, when 500 OVC is used as the recommended minimum very few areas meet the requirement. This indicates that more service providers need to be fully trained in order to effectively assist their clients and build capacity and a wider network of support.

Nonetheless, a network of service providers at the lower end of the network is spread throughout South Africa in all district municipalities except Overberg in the Western Cape. This outcome, given the short time frame and the technical and internal network challenges encountered during the training roll-out, is a remarkable achievement.

It is important to also mention two additional findings. Firstly the scale of any GIS analysis strongly influences the effectiveness of the results. For this project the Province scale was ineffectual as it over-simplified the results. The district municipality scale is shown to be the better of the two. The amount of data collected was sufficient for the number of administrative boundaries that needed to be examined and to give statistically significant results for these areas. The second important finding is that because administrative boundaries change it is important to collect point data where this is possible. Point data can be located irrespective of where boundaries are placed.

8.4.3 Comparative qualitative analysis of network implementation: Recommendations

The various factors regarded as important in the implementation of policy in a network structure were illustrated in the study and are listed as follows:

1. The network manager, facilitator or management team is there to facilitate and handle complex network settings. This calls for a balancing act between being actively present and supportive yet not taking control over the process or the actors involved in the process, thus the manager remains flexible, encouraging interaction, building relationships and developing trust.
2. Accountability of all actors in the network is paramount, state and non-state. Actors should act as checks and balances within the network and if that fails then the shadow of hierarchy is necessary to maintain actor relationships and retain legitimacy.
3. Building relationships is a fundamental characteristic of a networking environment. Actors need to interact frequently in order to develop trust and improve cooperation. If there is no trust or if trust is limited there is a need for rules that have been developed either prior to network engagement, through a joint planning process or 'joint visioning' process or through the introduction of clear processes of accountability, preferably developed by lead actors in a consultative process with relevant stakeholders.
4. Communication is crucial in a network. Because relationships matter, the type and manner of communication used will also matter. Respectful and reciprocal sharing of information is important in maintaining relationships between actors in a network arrangement.
5. As preconceived beliefs, institutional cultures, value systems and experiences have a direct impact on actors in a network environment, the perceptions that are held by network actors need to be acknowledged and strategically addressed.
6. Strategies utilised in a network should be adjusted specifically to suit the particular network structure. Each network arrangement differs with respect to the number and type of actors, the exchange and sharing of resources between actors, the goals or objectives that are sought, and the different strategies identified by participating stakeholders. This calls for a lengthy pre-strategic, joint planning period which will prove to be valuable during implementation as confusion and conflict may significantly decrease when mutual plans, processes

and goals are established in a facilitative, deliberative manner.

8.4.3.1 Quantitative GIS analysis: Recommendations from mapping the succession planning project

In carrying out the GIS analysis, which included a hot spot analysis, certain factors were revealed that impact on the accuracy and currency of the results and showed future interests that need to be considered. These are listed as follows:

1. The research revealed that there is a paucity of accurate updated data on all orphan types. This was highlighted in chapter four where the lack of consistency in defining orphans caused uncertainty and disparities in the data gathered (see page 151-152). Many international agencies, including UNICEF, initially adopted the narrower definition used by UNAIDS in the context of HIV/AIDS. This later changed in 2004 when UNICEF opted to apply the broader definition for an orphan. These shifts in definition introduce discrepancies and uncertainty.
2. Following on from point (1), in relation to similar research being carried out on OVC programmes and activities, there is a need to extend these studies to include data on all orphan types such as:
   Child headed households;
   Granny headed households;
   Single parent headed households.
3. It is also important to carry out a follow up survey of the delegates involved in the succession planning project in order to measure the ongoing assistance and application of training in their areas of influence. This survey, carried out in conjunction with recent data on OVC numbers, will provide a measure of the impact of training on the OVC problem and also establish the extent of the network of support.
4. A more detailed analysis is required to study the autocorrelation effects.
5. The current data collected should be based on point locations where possible so that any future boundary changes do not affect results.
6. Finally it is considered fundamental, in an extensive training and capacity building project of this nature, that pre-planning processes should target key OVC problem areas. In this way the location of training focus is pre-determined, thus ensuring that resources are adequately aligned with needs.

8.5 Conclusion: From formulation to implementation of policy in a policy network setting

Within a setting where public participation is a constitutional and legal obligation, law and policy developed in the child's rights arena illustrates the varying intentions of the state to engage with civil society partners. In this study the range of state and civil society engagement, from policy formulation through to implementation, is noteworthy. Yet within this unique setting a worrying trend is revealed where, more often than not, practitioners, CSOs and the state fall back on adopting a centralised, hierarchical pattern of working together. Keast *et al.* say that in spite of the recognition that 'collaboration through network structures is an innovative response to dealing with social issues' the expectation continues to exist that outcomes and processes remain the same[1256]. This was illustrated in the succession planning project where lead actors overlooked innovative network strategies during project commencement and also during periods when confronted with network blockages, issues of accountability and ongoing conflict.

The research illustrates that, when working within a network, there is a need to adjust to operating outside of a hierarchical structure, with clear lines of control and authority. Within a network the diversity of actors brings the combined knowledge and resources which are regarded as crucial components to address problems at a variety of levels. In the network setting the differing perceptions, experiences and histories of network actors also introduce a degree of uncertainty and complexity calling for an appreciation and understanding of the structural change that defines a networking arrangement. The fundamental basis of a network is the mutual interdependence of the actors involved. Therefore any strategies introduced need to accommodate the diversity of actors and their relationships. Failure to do so will result in ineffective outcomes as the actors involved in the network will struggle to coordinate their varying responses.

The research draws attention to two core components in network operations. Firstly the actors, involved in both the children's act project and succession planning project, were selected because of their resource capabilities through the knowledge, skills or expertise that they brought to the network. These diverse actors, state and non-state, constitute a policy network. Secondly the diverse mix of actors impacted on the network arrangement, its function and the resulting network environment. This meant that the actors involved and the strategies adopted, the perceptions held and the relationships

[1256] Keast *et al.* see note 1233.

developed — the frequency and manner of interaction — influenced the way in which the network operated. It also ultimately impacted on network objectives and outcomes.

Finally, in a country beset with complexities inherited from the past and wicked problems that call for the resources and the buy-in of multiple stakeholders, relationships and building trust is fundamental. This study reveals the potential that trust can offer in complex settings where cooperation is crucial in coordinating a diverse range of demands without fear of opportunistic behaviour from the actors involved. Yet a more in-depth study of the influence of trust and the way in which trust may develop within such a complex and uncertain environment needs to be carried out. Of particular interest is the presence of trust in the public policy and administrative context where time is of the essence and legitimacy is a concern.

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Appendix 1

Succession planning Project Materials:

Group A
Let me talk from my own understanding of Xhosa culture – that's where I come from. Our father would not write words down when they were about to die. They would call the whole family and say whatever they wanted to say - yes those last words – and everybody would look forward to that, hence they really would cry if that person would die suddenly. But that does not say that many times they would talk about things like 'you know so and so that thing is yours that is yours.' But to write it down, like I think writing is a foreign concept to black African people - especially for the older ones."

Group B
When you've got this little piece of paper and the uncle come swooping in and takes his stuff, how do you stop it? And when you have next to nothing – no Masters court is going to be interested in your problem – so it becomes meaningless. I mean how do you persuade people to draw up a will if there is no way of enforcing that will - you're wasting your time.

Group C
I'm sorry to say that we people take it for granted not to do wills because sometimes you think to do a will you must have big things, you must have money, a house. Its even worse if you are a woman because then you think that the man must take care of these things and that we have nothing to leave anyway.

Group D
So anyone can be a witness? But then people were saying no they were scared to be a witness because what if you are a witness in someone's will and the family found out and they were not happy about the way the property was distributed then they will blame you.

(Note: These are actual statements made by people who were interviewed)

Notes on Exercise 3:



What is property?
Property is, an object that a person can own and enjoy or even destroy or sell. Property can be something/s small and movable like a cell phone, a watch, clothes, shoes and books or it can also be something that is big and immovable like a house or a farm. All these objects have some value. The value can be in money or it can be personal or sentimental.

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Appendix 2

Children's Act Project **Lucy Jamieson**

This is to discuss the Children's Institute and it's (your) involvement in the Children's Bill process. I am interested in how it was started, the reasons why and how you felt during the process your insights and observations

1. **Could you give some background regarding the work that you carry out here at the Children's Institute?**
2. **Were you/the institute involved in the children's bill process from the start? (at the time of the SALRC process)**

3) How and in what way were you/Children's Institute involved?

4) Can you describe that part of the process?

Probe: was it consultative, interactive or top-down?

5) Where there any other similar policy processes taking place around the same time?

6) Was this level of engagement typical and were you able to maintain the same level of engagement throughout the children's bill process?

7) How did you change, adjust as the process evolved?

Probe: did you need to and did you?

8) When did you become aware of the need for a wider, more sustained level of engagement?

Probe: Why (if not already covered)

Probe: What were the driving factors at the time?

9) What strategies did you identify as best suited to the process?

Probe: were your strategies evolving over time or pre-set already established?

10) How long did it take to get the Campaign started?

11) When was it completed/when did it end?

12) Did you have to raise extra funds/money/resources to run the campaign?

13) How did the Children's Institute involve other actors and get them on board?

Probe: how did organisations come together/ how did you come to a point where you were able find a common voice/common agenda?

14) Where there any problems? Did you have any resistance or conflict from other organisations? What kind of problems did you encounter can you describe them for me?

15) The Children's Institute carried out an intensive research process, how was this done and who was responsible for carrying out the research?

16) Were you working with Government at this time?

Probe: when did you begin to engage with government? At what level, with whom?

17) How did they respond to the campaign and the level of your engagement?

18) Has this relationship continued and in what way?

19) Did your relationship change with government as a result of the campaign?

Probe: in what way?

20) Do you believe that working in a network of CSO and Government collaborating is an effective process?

21) Do you have any suggestions as to how these processes can be maintained if you think they are worth maintaining?

22) Is there anything further you would like to add?

THANK YOU.

Appendix 3: Part 1

Focus Group Discussion Guide

Caregivers or NGO's involved in caregiving

Questions can be adjusted to suit the group. If some questions are already covered in an earlier discussion then skip over- you do not have to keep strictly to the guide but make sure that the questions (particularly relating to: i) relationships with other groups; and ii) preparation for death, knowledge of the Master's Office and drawing up of wills, taking care of grants) are asked and answered.

Introduction:

Welcome-introduce self

Explain the following (take care re influencing the findings):

- *This is a survey research project-to help develop material for the training of caregivers and social workers;*
- *Be honest and say what you feel –your opinions count;*
- *Your name will be protected and you will remain anonymous;*
- *You are free to agree or disagree;*
- *Everyone is encouraged to participate we value what you have to say.*

Explain ground rules:

- *The focus group discussion will not take more than an hour and a half;*
- *Show people where the toilets are;*
- *Explain that the discussion will be recorded so that we can give the group our fullest attention;*
- *Ask everyone to introduce themselves i.e: My name is Mary-do not have to give surname, tell me a little about yourself - what do you do, a hobby or interest?*

Start with a general discussion about South Africa:

1) What do you feel about South Africa at the moment?

2) Are there any changes you have noticed, have you been affected by these changes – in what way?

3) Name three things you would like to change in the country, if you could?
Why?

4) Do you think you could make the changes yourself, if not who could?
Why /why not?

Now think about your personal life, and ask yourself:

1) What three things would you change in your daily life?
Why?

2) Have you ever tried to make a change in your own life?
What was the result?

3) Did you turn to anyone for help?

4) Who would you go to for help?
What do you need, what would help you?
(i.e more information, someone you trust …)

5) Have you ever helped someone else in making a change in their life?

6) What was the result?
How did you feel?

Now let us look more specifically at an area where the government offers help:

1) What do you know about social grants?

2) What types of grants have you heard of or accessed before?

3) Was it for yourself or someone else?

4) Were there any problems?
If so what were they?

5) Did you know what to do, where to go?
How did you know?

6) Do you have a friend, a community leader, a lawyer an NGO to go to when you need help…explain your sources of assistance/information/advice –if any?

Another area of interest – related to documentation such as Identification Documents:
1) Have you ever had problems with your, or a family member's ID?
Probe-getting an ID, changing an ID, or loss of ID?

2) What sort of problems?

3) If any problems how did you resolve them? /what did you do?
Was it sorted out?

4) If you were rating the help you got from a department such as home affairs using a scale of 1-10:
a) 1 means it was very difficult,
b) 5 means it was average ie not that easy /not that difficult; and
c) 10 means it was very easy and efficient.

Which number would you choose?

5) Do you know how to report complaints, where do you go, who would you contact?

Main body:

Now let us talk about your work as a caregiver in the community:
1) Who do you care for in the community?

2) How many people are you responsible for?

3) Do you have any children that you take care of?

4) What is your relationship with these children?

5) What are the ages of the children you care for?

6) Are you a volunteer caregiver or employed and with what organisation?

7) Do you have your own children?

8) Does your own family support you/understand what you do?

9) How did you first get involved?

10) Why did you get involved?

11) What do you do, what does caregiving mean to you?
-Describe a normal day?

12) What sort of problems, issues do you deal with in your work?

13) What other assistance have you provided?
- For example have you ever helped with a loss/or a death in a family?
1) What did you have to do?
2) How did you cope?
3) Did you feel that you were able to help/had the experience?
4) Do you think it is part of your responsibility as a caregiver to help with loss?
5) How much help should you offer and would you like more training in this area?
-what sort of training?
6) Is there anyone else who should help families cope with grief? (church, school, govnt, social workers, Doctor?)
(have they helped?)

14) Do communities have the resources to help families - do they help?

15) Are there any cultural practices that you follow before someone passes away and also after they have passed away?
What are these cultural or maybe these are family practices?

Now we will talk briefly about funerals and funeral preparation:

1) Who helps a family prepare for a funeral or a burial?
Probe: do families use funeral homes like avbob or doves?

2) In your opinion are funerals affordable/costly?

3) How much - give an estimate?

4) How do people in the community afford funerals, do they prepare in advance, do they put payment plans in place?
How? Probe: do they use burial societies or other means/organisations-describe?

Now I want to move on to look and look at issues that relate to children and their property/or the parent's property:

1) The children who are left behind, can they cope financially?
Probe: are they provided for?

2) Do you think the parents could help set something up for their children before the pass on?

3) What could parents or caregivers do?
Probe: Do you think of memory boxes would help etc.

4) Can the children get financial assistance from anywhere else?

5) We discussed accessing social grants earlier but what about grants for children?
Probe: any concerns about these grants?

6) If children in Child Headed Households were able to access grants without additional complications would it help in any way?
Probe: How…what can be done?

7) What should be done to improve the situation?

Now I'd like to look at questions about the law that deals with your/or other peoples' property:

1) Do you know much about law that applies when someone passes away?

2) What do you know?

3) Do you find talking about law, rights and the Constitution interesting, confusing or are you not interested - please may I have a show of hands?
(*Do a hand count out loud (for the tape recorder i.e. how many find this topic interesting one, two three okay-how many are not interested?)*

4) Why do you feel this way?

5) Do you think that knowledge of the law could help people/communities in some way at times?

6) If you needed some legal information you would go to find it:
1) *from a lawyer*
2) *from an advice office*
3) *from a social worker*
4) *from a book*
5) *from the radio/TV*
6) *from a friend*
7) *from an induna*
8) *a Doctor*
9) *other-where else*

7) Do you have a will? – have you, a family member, friend ever drawn up a will?

8) Did you seek help for this or did you do it on your own?

9) If I asked you to draw up a will right now how would you know what to do?

Include the next exercise if you have time - take in the papers (tell participants this will assist with the study)

Would you like to try?
Hand out paper – give 5 minutes - take in will. Give some simple guidance here: the will must be in writing, be clear about who you want to leave your property to. It can be many people or just one person…

10) What kind of documents you would need if you have to report the death of a person?

11) Where would you get these documents from?

12) Who would help you get these documents?

13) What do you know about the Masters office, or the Master of the High Court?
Probe: have you ever heard of the Master's Office?

14) Have you ever used the Masters Office?

-if not the Masters Office where did you go to get help/advice on what to do when winding up a deceased estate? (explain what is meant by winding up an estate)

Only ask the following questions if participants know about the Masters Office:

1) Where was the Masters office/or other office that you went to?

2) Were the people at the Masters office helpful?

3) Did you have any problems with what you were expected to do?

Probe: with the documents that you were supposed to hand in or collect?

To get back to the remaining questions:
1) Do you know what an executor is?

2) Explain?

3) Do you know what an administrator is?
Probe: How do you know this?

4) Have you ever helped someone sort out the property of a deceased person?
Probe: Explain what happened

5) Have you heard of the Guardian's Fund?
*Probe: explain what you know about the Fund***?**

6) Have you ever had to access the fund - why?

7) Did you have any problems with respect to accessing the fund?
Probe: were you assisted in any way? How?

8) Discuss/describe the problem?

In conclusion:

Can you think of anything that we have not mentioned today that you think is a problem when dealing with the loss of a person, his/her estate or when taking care of the children?

Is there anything more you would like to add?

THANK YOU VERY MUCH.

Appendix 3: Part 2

1. **Focus Group Discussion Guide: HPCA and caregivers Soweto**

A. INTRODUCTION

Introduce yourself, explain that you are happy to have the group participate in the focus group and that their honest feedback would be most welcome.

The idea behind inviting all the participants today was to:

- *Have a simple discussion with people who are related to or have been involved in the training with hospice;*
- *Participants should be open and say what you feel;*
- *Everyone is encouraged to speak up –remember we value your opinion;*
- *Limitations-understand this is not entirely free etc…*

I'm using a tape recorder so that I can focus my attention on the discussion and not have to write everything down. Please remember to speak clearly so we can hear every word.
Housekeeping stuff - point out bathrooms.
Discussion will take an hour and a half.
There are some eats you can help yourself to.
Forms going around –please fill them in.

Now give participants time to introduce selves:
Introductions-warm up

1) Could you please give us your name, and what do you do?

Probe; trainer, nurse, social worker, carer ?

2. **B. MOOD SECTION**

I would like to get to know you a bit better:
1) I'm going to hand out some cards. These cards either describe something about your character or something that you should strive to become/work towards.
(Ask question 2 depending on the answer above.)

2) Would you say this applies to you personally or to your work or both or not at all? If not what word would you choose to best describe yourself?

3) Would you say that you are in a line of work/service because of your interests, values, expertise, training or something else? *Probe: explain your response.*

4) If I asked you what community work meant to you what would you say?
Probe; I'm looking for how you feel or perceive/look at community-can be your own local community etc…

5) Describe the community/the area where you work?

Probe: common concerns/issues/challenges?

6) Are there other groups, institutions that you work with in the area concerned?
Probe: are you part of a support network, describe?

7) What is your relationship with these groups/institutions (actors)? *Probe: describe?*

8) Describe the type of interaction you have with the different groups/actors?
Probe: how often and in what way? Frequent – weekly, daily?

3. C. KNOWLEDGE GAP?

1) Are there ever times in your community work that you feel unsure about what to do because you need more information or you would like some support or help?
Probe:… in what way do you think you could be assisted here-what knowledge or support would help you in your work/training?

Depending on question above probe further with:
2) In your work, when you do not have all the answers, who would turn to for support or guidance-who can help in solving those difficult problems?
Probe: for example in some organisations there is a supervisor or someone else who can help with advice or guidance?
Probe: is it helpful?

3) ……And if there were legal problems who/where would you go?
Discuss responses-if any…give me some examples maybe?

4) What about running or attending training workshops? Do you think they help with developing your knowledge or confidence?

5) In what way? Explain this to me …..

4. D. WORKSHOPPING

Now let us change the pace - I'd like you to think back a bit - any workshops/classes you may have participated in either as a trainer or participant/student at any time in the past?

1. What would you say stands out in your memory about these classes/workshops?
Probe: anything you can remember-any good memories or even challenges? Can even refer to school…

2. Do you remember learning anything significant/important to you, what was it?
2a. Why was it so significant that you remember it?
Probe: was it the information that caught your attention?

- *the teacher/facilitator that held your attention?*
- *The way the class was run? Describe…*

3. If it was the teacher/facilitator that caught your attention then why-what did s/he do-how did s/he do it?
Probe: what did you like about the style of teaching/facilitation?

4. So what would you say makes a good workshop and/or a good facilitator? Describe/explain.

5. D. PUTTING IT INTO PRACTICE

Let us examine the hospice training and consider what we have just spoken about:

1. Quickly –without thinking-give a word/phrase to describe your hospice workshop experience?
Why did you choose that word/phrase?

2. Tell me what you remember from the training-some information you picked up or even the topics you covered?
Probe: if mention topic-like social grants- then ask further to test knowledge.

3. What else can you recall about the training you participated in?
Probe; information, skills, anything you were looking for, any expectations-were they met?

3. I know we might have mentioned this already but I'd like to ask, if you left the workshops feeling empowered in some way?
Why, what etc?

4. Did you feel like the workshop experience was positive and was the learning life-changing or interesting?
Explain…

5) Have you passed this information on to anyone else, have you used it to help anyone, even yourself? In what way?
Probe; do you feel confident enough to pass this on-why/not?

We are going to move on to look at the presentation:
5) What did you think of the style of the presentation?
Probe; did you feel like something more…role play, mock trial, debates?

6) Is the information being provided relevant to you? Is the training relevant? Does it work?
Probe; is something missing-for students and carers?
What is it?

7) What can you tell me about the planning?
Probe: Addressing needs, addressing logistics - like the venue or transport?

8) Did you get any material to work from or with? Was it useful…what else would you have liked-if anything?

6. E. CONCLUDING/WIND UP:

1) I have heard so many comments about what you have done since the workshop but just in case there is anything we have missed; can you tell me in if there is any other area of your life where this training has changed what you had done before? How?

2) What more do you need to prepare you or build your confidence in certain areas –how and what would that be?

3) Any other suggestions regarding the training, the focus of work or the type of presentation i.e. the information and so on?

4) Is there anything more you would like to add or even ask?

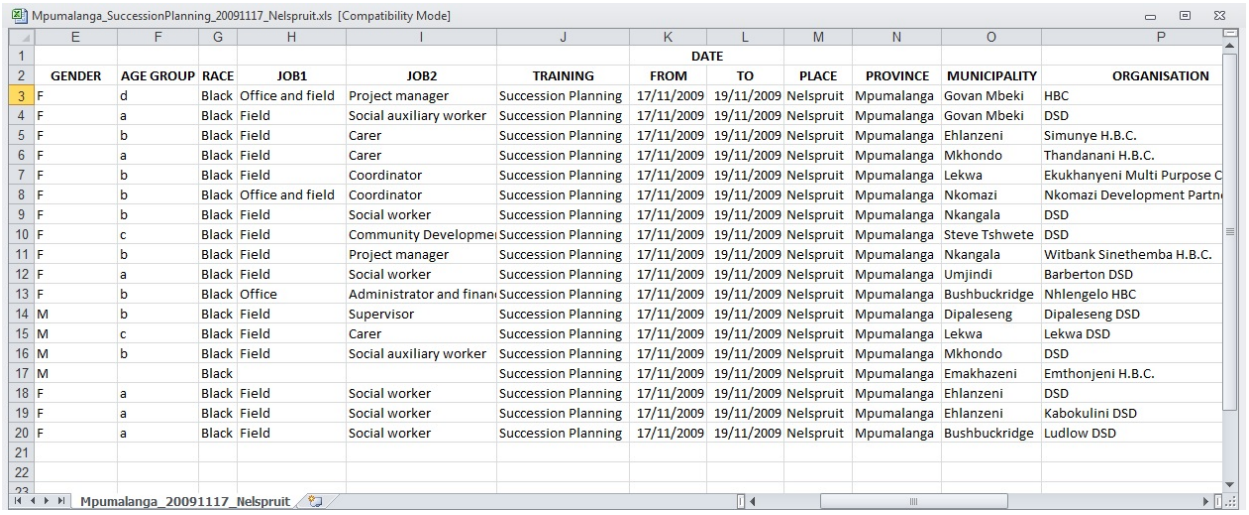
If not I'd like to thank you for your time.

Appendix 4

Quantitative Data Captured From the 2009 and 2011 Questionnaires

Part of the same spreadsheet showing the type of data collected from 2009 questionnaires is shown in the two figures below:

First part of the spreadsheet showing some of the data captured:

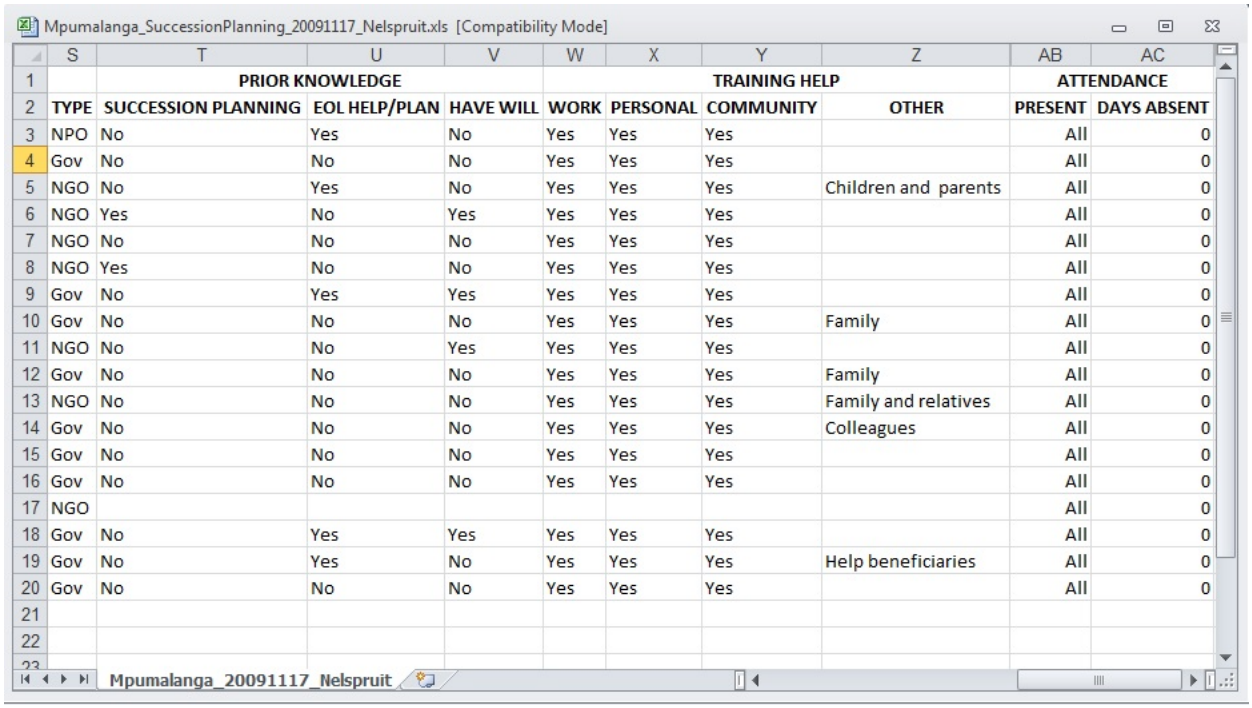


Mpumalanga_SuccessionPlanning_20091117_Nelspruit.xls [Compatibility Mode]

	E	F	G	H	I	J	K	L	M	N	O	P
1							DATE					
2	GENDER	AGE GROUP	RACE	JOB1	JOB2	TRAINING	FROM	TO	PLACE	PROVINCE	MUNICIPALITY	ORGANISATION
3	F	d	Black	Office and field	Project manager	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Govan Mbeki	HBC
4	F	a	Black	Field	Social auxiliary worker	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Govan Mbeki	DSD
5	F	b	Black	Field	Carer	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Ehlanzeni	Simunye H.B.C.
6	F	a	Black	Field	Carer	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Mkhondo	Thandanani H.B.C.
7	F	b	Black	Field	Coordinator	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Lekwa	Ekukhanyeni Multi Purpose C
8	F	b	Black	Office and field	Coordinator	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Nkomazi	Nkomazi Development Partn
9	F	b	Black	Field	Social worker	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Nkangala	DSD
10	F	c	Black	Field	Community Developme	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Steve Tshwete	DSD
11	F	b	Black	Field	Project manager	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Nkangala	Witbank Sinethemba H.B.C.
12	F	a	Black	Field	Social worker	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Umjindi	Barberton DSD
13	F	b	Black	Office	Administrator and finan	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Bushbuckridge	Nhlengelo HBC
14	M	b	Black	Field	Supervisor	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Dipaleseng	Dipaleseng DSD
15	M	c	Black	Field	Carer	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Lekwa	Lekwa DSD
16	M	b	Black	Field	Social auxiliary worker	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Mkhondo	DSD
17	M		Black			Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Emakhazeni	Emthonjeni H.B.C.
18	F	a	Black	Field	Social worker	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Ehlanzeni	DSD
19	F	a	Black	Field	Social worker	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Ehlanzeni	Kabokulini DSD
20	F	a	Black	Field	Social worker	Succession Planning	17/11/2009	19/11/2009	Nelspruit	Mpumalanga	Bushbuckridge	Ludlow DSD
21												
22												

Mpumalanga_20091117_Nelspruit

2009 Spreadsheet data continued. Shows some of the data captured:



Mpumalanga_SuccessionPlanning_20091117_Nelspruit.xls [Compatibility Mode]

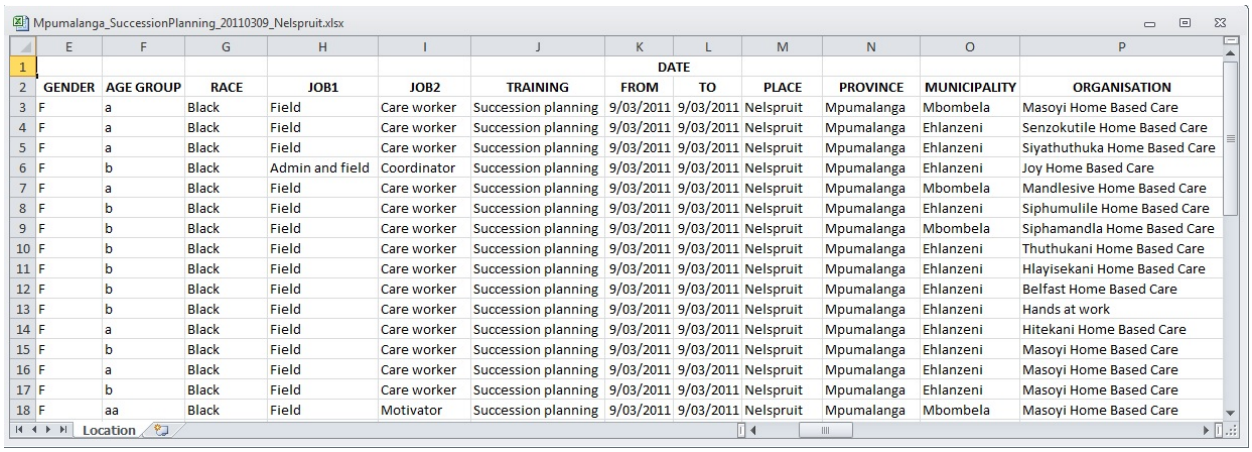
	S	T	U	V	W	X	Y	Z	AB	AC
1		PRIOR KNOWLEDGE			TRAINING HELP				ATTENDANCE	
2	TYPE	SUCCESSION PLANNING	EOL HELP/PLAN	HAVE WILL	WORK	PERSONAL	COMMUNITY	OTHER	PRESENT	DAYS ABSENT
3	NPO	No	Yes	No	Yes	Yes	Yes		All	0
4	Gov	No	No	No	Yes	Yes	Yes		All	0
5	NGO	No	Yes	No	Yes	Yes	Yes	Children and parents	All	0
6	NGO	Yes	No	Yes	Yes	Yes	Yes		All	0
7	NGO	No	No	No	Yes	Yes	Yes		All	0
8	NGO	Yes	No	No	Yes	Yes	Yes		All	0
9	Gov	No	Yes	Yes	Yes	Yes	Yes		All	0
10	Gov	No	No	No	Yes	Yes	Yes	Family	All	0
11	NGO	No	No	Yes	Yes	Yes	Yes		All	0
12	Gov	No	No	No	Yes	Yes	Yes	Family	All	0
13	NGO	No	No	No	Yes	Yes	Yes	Family and relatives	All	0
14	Gov	No	No	No	Yes	Yes	Yes	Colleagues	All	0
15	Gov	No	No	No	Yes	Yes	Yes		All	0
16	Gov	No	No	No	Yes	Yes	Yes		All	0
17	NGO								All	0
18	Gov	No	Yes	Yes	Yes	Yes	Yes		All	0
19	Gov	No	Yes	No	Yes	Yes	Yes	Help beneficiaries	All	0
20	Gov	No	No	No	Yes	Yes	Yes		All	0
21										
22										

Mpumalanga_20091117_Nelspruit

The questionnaires changed slightly in 2011 similar data to the 2009 questionnaires was included but some changes were made.

Parts of a spreadsheet showing the type of data collected from the 2011 questionnaires is shown in the four figures below:

The first part of the spread sheet showing data similar to that of the 2009 spreadsheets:

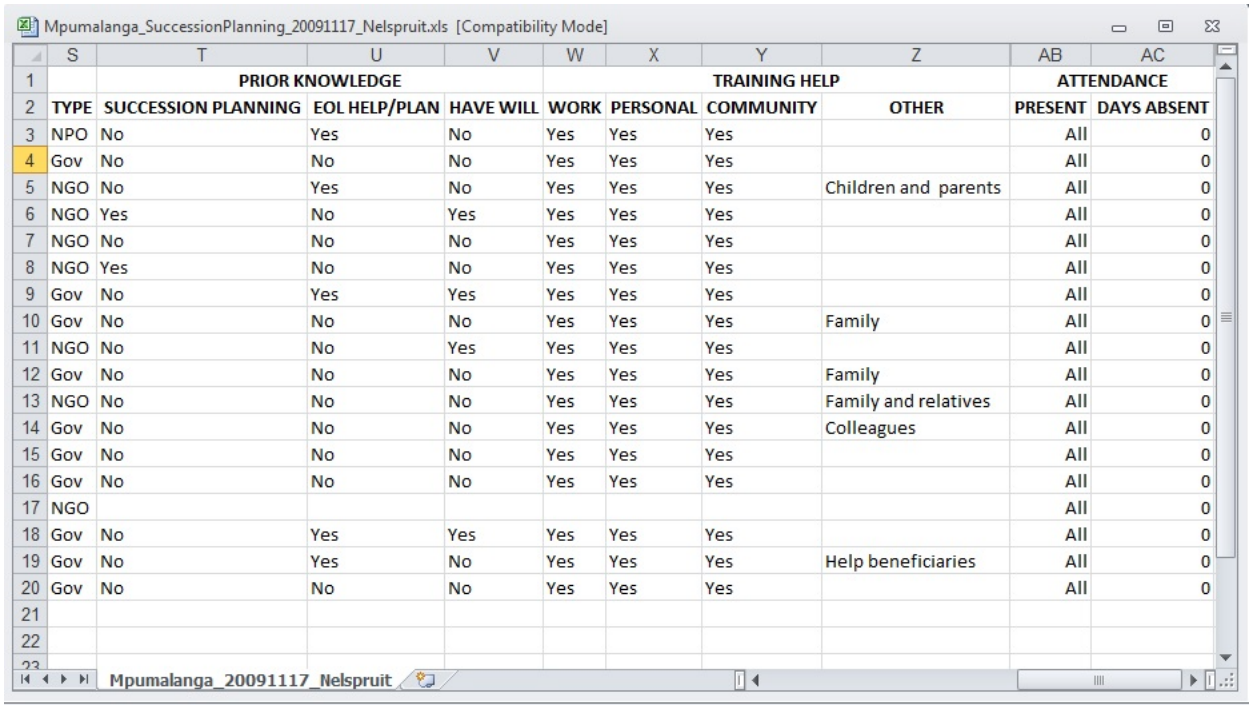


Mpumalanga_SuccessionPlanning_20110309_Nelspruit.xlsx

	E	F	G	H	I	J	K	L	M	N	O	P
1							DATE					
2	GENDER	AGE GROUP	RACE	JOB1	JOB2	TRAINING	FROM	TO	PLACE	PROVINCE	MUNICIPALITY	ORGANISATION
3	F	a	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Mbombela	Masoyi Home Based Care
4	F	a	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Senzokutile Home Based Care
5	F	a	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Siyathuthuka Home Based Care
6	F	b	Black	Admin and field	Coordinator	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Joy Home Based Care
7	F	a	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Mbombela	Mandlesive Home Based Care
8	F	b	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Siphumulile Home Based Care
9	F	b	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Mbombela	Siphamandla Home Based Care
10	F	b	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Thuthukani Home Based Care
11	F	b	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Hlayisekani Home Based Care
12	F	b	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Belfast Home Based Care
13	F	b	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Hands at work
14	F	a	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Hitekani Home Based Care
15	F	b	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Masoyi Home Based Care
16	F	a	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Masoyi Home Based Care
17	F	b	Black	Field	Care worker	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Ehlanzeni	Masoyi Home Based Care
18	F	aa	Black	Field	Motivator	Succession planning	9/03/2011	9/03/2011	Nelspruit	Mpumalanga	Mbombela	Masoyi Home Based Care

Location

Additional data collected in the 2011 spreadsheets – similar to 2009 data:

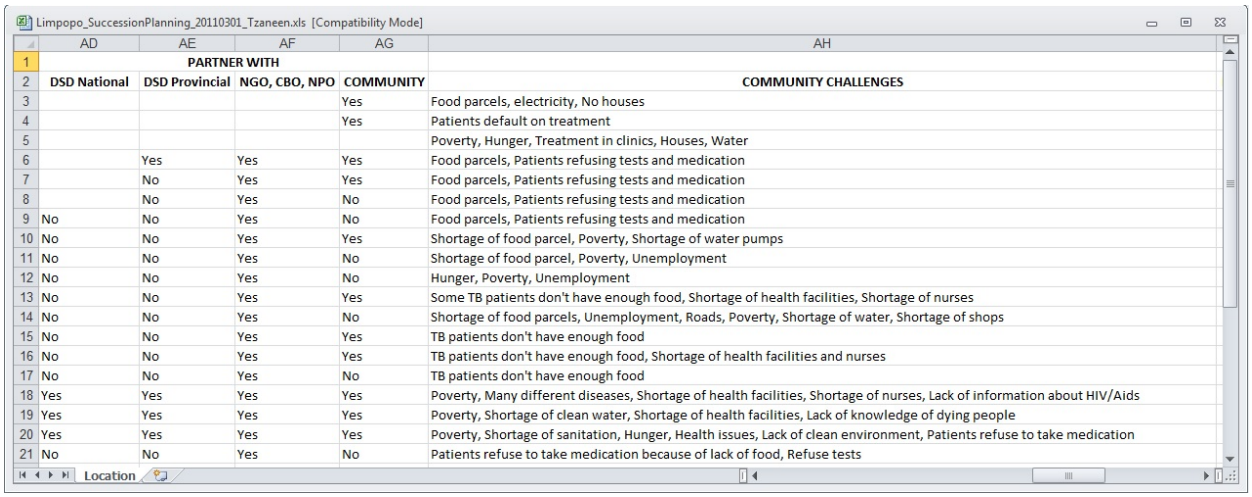


Mpumalanga_SuccessionPlanning_20091117_Nelspruit.xls [Compatibility Mode]

	S	T	U	V	W	X	Y	Z	AB	AC
1		PRIOR KNOWLEDGE			TRAINING HELP				ATTENDANCE	
2	TYPE	SUCCESSION PLANNING	EOL HELP/PLAN	HAVE WILL	WORK	PERSONAL	COMMUNITY	OTHER	PRESENT	DAYS ABSENT
3	NPO	No	Yes	No	Yes	Yes	Yes		All	0
4	Gov	No	No	No	Yes	Yes	Yes		All	0
5	NGO	No	Yes	No	Yes	Yes	Yes	Children and parents	All	0
6	NGO	Yes	No	Yes	Yes	Yes	Yes		All	0
7	NGO	No	No	No	Yes	Yes	Yes		All	0
8	NGO	Yes	No	No	Yes	Yes	Yes		All	0
9	Gov	No	Yes	Yes	Yes	Yes	Yes		All	0
10	Gov	No	No	No	Yes	Yes	Yes	Family	All	0
11	NGO	No	No	Yes	Yes	Yes	Yes		All	0
12	Gov	No	No	No	Yes	Yes	Yes	Family	All	0
13	NGO	No	No	No	Yes	Yes	Yes	Family and relatives	All	0
14	Gov	No	No	No	Yes	Yes	Yes	Colleagues	All	0
15	Gov	No	No	No	Yes	Yes	Yes		All	0
16	Gov	No	No	No	Yes	Yes	Yes		All	0
17	NGO								All	0
18	Gov	No	Yes	Yes	Yes	Yes	Yes		All	0
19	Gov	No	Yes	No	Yes	Yes	Yes	Help beneficiaries	All	0
20	Gov	No	No	No	Yes	Yes	Yes		All	0
21										
22										

Mpumalanga_20091117_Nelspruit

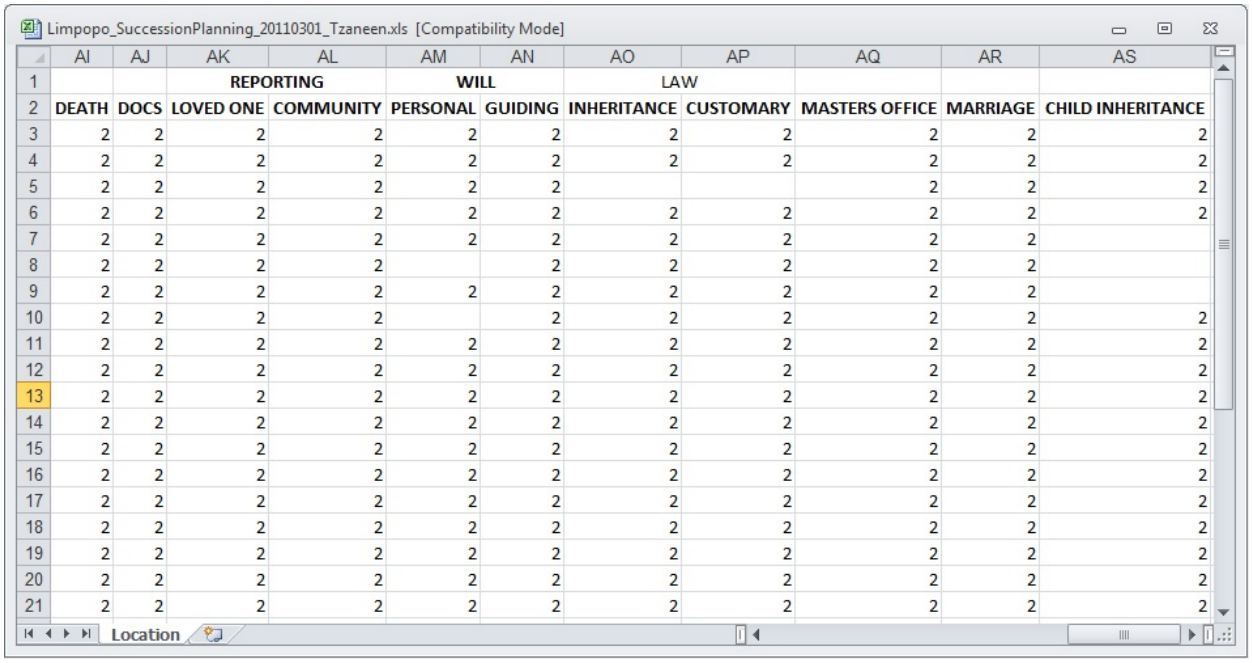
The following two figures show the different type of data captured by the 2011 questionnaire:



Limpopo_SuccessionPlanning_20110301_Tzaneen.xls [Compatibility Mode]

	AD	AE	AF	AG	AH
1		PARTNER WITH			
2	DSD National	DSD Provincial	NGO, CBO, NPO	COMMUNITY	COMMUNITY CHALLENGES
3				Yes	Food parcels, electricity, No houses
4				Yes	Patients default on treatment
5					Poverty, Hunger, Treatment in clinics, Houses, Water
6		Yes	Yes	Yes	Food parcels, Patients refusing tests and medication
7		No	Yes	Yes	Food parcels, Patients refusing tests and medication
8		No	Yes	No	Food parcels, Patients refusing tests and medication
9	No	No	Yes	No	Food parcels, Patients refusing tests and medication
10	No	No	Yes	Yes	Shortage of food parcel, Poverty, Shortage of water pumps
11	No	No	Yes	No	Shortage of food parcel, Poverty, Unemployment
12	No	No	Yes	No	Hunger, Poverty, Unemployment
13	No	No	Yes	Yes	Some TB patients don't have enough food, Shortage of health facilities, Shortage of nurses
14	No	No	Yes	No	Shortage of food parcels, Unemployment, Roads, Poverty, Shortage of water, Shortage of shops
15	No	No	Yes	Yes	TB patients don't have enough food
16	No	No	Yes	Yes	TB patients don't have enough food, Shortage of health facilities and nurses
17	No	No	Yes	No	TB patients don't have enough food
18	Yes	Yes	Yes	Yes	Poverty, Many different diseases, Shortage of health facilities, Shortage of nurses, Lack of information about HIV/Aids
19	Yes	Yes	Yes	Yes	Poverty, Shortage of clean water, Shortage of health facilities, Lack of knowledge of dying people
20	Yes	Yes	Yes	Yes	Poverty, Shortage of sanitation, Hunger, Health issues, Lack of clean environment, Patients refuse to take medication
21	No	No	Yes	No	Patients refuse to take medication because of lack of food, Refuse tests

Location



Limpopo_SuccessionPlanning_20110301_Tzaneen.xls [Compatibility Mode]

	AI	AJ	AK	AL	AM	AN	AO	AP	AQ	AR	AS
1			REPORTING		WILL		LAW				
2	DEATH	DOCS	LOVED ONE	COMMUNITY	PERSONAL	GUIDING	INHERITANCE	CUSTOMARY	MASTERS OFFICE	MARRIAGE	CHILD INHERITANCE
3	2	2	2	2	2	2	2	2	2	2	2
4	2	2	2	2	2	2	2	2	2	2	2
5	2	2	2	2	2	2			2	2	2
6	2	2	2	2	2	2	2	2	2	2	2
7	2	2	2	2	2	2	2	2	2	2	
8	2	2	2	2		2	2	2	2	2	
9	2	2	2	2	2	2	2	2	2	2	
10	2	2	2	2		2	2	2	2	2	2
11	2	2	2	2	2	2	2	2	2	2	2
12	2	2	2	2	2	2	2	2	2	2	2
13	2	2	2	2	2	2	2	2	2	2	2
14	2	2	2	2	2	2	2	2	2	2	2
15	2	2	2	2	2	2	2	2	2	2	2
16	2	2	2	2	2	2	2	2	2	2	2
17	2	2	2	2	2	2	2	2	2	2	2
18	2	2	2	2	2	2	2	2	2	2	2
19	2	2	2	2	2	2	2	2	2	2	2
20	2	2	2	2	2	2	2	2	2	2	2
21	2	2	2	2	2	2	2	2	2	2	2

Location