Centre for Early Childhood Development · Putting Young Children First

Early Years

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"Crises happen regularly; some would say that being in the non-profit sector is one long crisis. This is however not correct. Crises certainly happen in the non-profit sector, in business, religious institutions, universities, and so on.

A crisis can have a huge impact on a business or an organisation if not handled and resolved correctly and speedily. As such, in the ECD non-profit sector we have to plan for how we respond to a crisis that may occur.

We also cannot predict a crisis, that is, what it will be and when it is likely to occur. As such we must be prepared.

Some recent crises globally that readers may recall include the kiss-cam incident in which a business executive was caught out hugging and kissing a colleague (not his wife) during a Coldplay music concert in America. This video footage went viral and was viewed by millions of people globally. The result was that the CEO got fired from his overpaid job.

Another, more dangerous crisis, was when a door fell off an Alaska Airlines flight in 2024, while 16,000 feet up in the air.

COVID-19 was a crisis that we all experienced. Remember being closed for several months during that time? The world had not planned for it.

The first rule in crisis management is, if responsible, to take responsibility and apologise immediately. Respond honestly and speedily. No "buts" or "if's".

As non-profit ECD organisations we must anticipate that a crisis will occur at some point and we must have a plan as to how we will manage it. This does not include the specifics, because each crisis is different, but we must have some protocols for crisis management in place. This must include first accepting that a crisis has occurred and then handling the crisis internally, before all else.

Enjoy reading this edition of Early Years.

ERIC ATMORE

Director

KZN COURT MAKES LANDMARK RULING DECLARING RIGHT TO EARLY CHILDHOOD DEVELOPMENT

~ Thato Gololo

- The KwaZulu-Natal High Court declared that all children have a constitutional right to early childhood development, after the KZN Department of Education failed to respond to an application brought by three Edendale crèches for outstanding subsidies.
- The court ordered the department to file a report and pay every ECD centre owed outstanding subsidies.
- At Phumelela Crèche in Edendale, five consecutive months passed without subsidy payments, leaving one practitioner unpaid and the landlord threatening eviction.

The KwaZulu-Natal High Court in Pietermaritzburg granted an order on Tuesday declaring, for the first time in South Africa, that all children have a right to early childhood development (ECD), and that the state's failure to pay subsidies to ECD centres in the province was unlawful and unconstitutional.

For five consecutive months, the children at Phumelela Crèche in Edendale went without the government money meant to feed them. When the last payment finally cane through in May 2025, it was for November - six months late.

The court declared that the KwaZulu-Natal Department of Education's irregular and inconsistent payment of early childhood development (ECD) subsidies to qualifying centres was unlawful and unconstitutional, insofar as it infringed on children's right to early childhood development.

The order was granted after the department failed to oppose the application.

According to an affidavit by Phumelela chairperson, Nonkonzo Madlala, one practitioner had not reported for work since March 2025 due to unpaid wages, leaving Madlala as the sole ECD practitioner responsible for two groups of children.

She said she taught the older group in the mornings, then left them in the care of a cook or cleaner while she attended to younger children. During this period, the centre faced repeated threats of eviction from its landlord. When food supplies ran out, Madlala and the centre's principal reportedly bought groceries for the children out of their own pockets.

The court also ordered the department to submit a searchable report within one month listing all ECD centres in KwaZulu-Natal owed outstanding subsidies, including their names and addresses, and to settle all amounts due within one calendar month of filing the report.

Payment agreements were also ordered to be made with every qualifying ECD centre within three months.

"The effect of nonpayment means ECD practitioners not attending, schools not being maintained, and most importantly, children not being fed," said Nkosinathi Sibisi, the chairperson of the Friends of South Africa Early Childhood Development Forum, in his foundation affidavit.

The Legal Resource Centre (LRC) brought the application on behalf of the forum, the KwaZulu-Natal ECD Alliance, and three creches - Sakhokwethu, Phumelela, and Zenzeleni - against the education department.

Together, they had asked the court to order the immediate payment of outstanding subsidies: R37 873 to Sakhokwethu, R79 730 to Zenzeleni, and R94120 to Phumelela.

The applicants argued that the nonpayment breaches children's rights to nutrition, care, shelter, basic health care, and social security. They relied on the Children's Act, which obliges the state to fund ECD programmes, and on international law, which obliges states to ensure the survival and development of the child.

According to the LRC's supporting affidavit, in Edendale, where all three applicant crèches are based, approximately 81% of children live below the poverty line, with almost half of them below the food poverty rate, the value that allows people to eat the minimum calories needed for survival.

The applicants spent more than a year trying to resolve the issue before resorting to litigation.

The KZN ECD Alliance first approached the LRC in December 2023. Letters of demand followed two months later.

In July 2024, representatives met with the department, but the department did not explain the delays.

On 11 September 2024, approximately 450 ECD practitioners from three provinces gathered outside the national Department of Basic Education in Pretoria and handed over a memorandum demanding prompt payment. No substantive response was received.

According to the confirmatory affidavit of Bonisiwe Mthembu, the principal of Sakhokwethu, she is currently R8 000 in debt and cannot afford to make any further personal contributions. She has used her consulting income to keep her children fed.

Provincial education department spokesperson Muzi Mahlambi told GroundUp:"We will further engage the court to have an appreciation of the difficulties that we have as the department that may impede us from being fully compliant with the judgment."

Article first published and is available at:
www.news24.com/southafrica/crime-and-courts/kzn-court-makes-landmark-ruling-declaring-right-to-early-childhood-development

SOUTH AFRICA'S FOOD SYSTEM IS FAILING CHILDREN – WHAT MUST CHANGE

~ Lori Lake

Child malnutrition in South Africa casts a long shadow across the life course. For example, stunting or being short for their age compromises children's physical growth and their brain development in ways that limit their education and employment prospects.

Stunted and overweight children are both at greater risk of developing noncommunicable diseases such as obesity, diabetes and hypertension. These conditions are placing a huge – and growing – burden on South Africa's healthcare system.

In this way, child malnutrition helps to drive an intergenerational cycle of poverty and ill health that comes at great cost to individual children, their families and South African society.

South Africa produces a surplus of food, yet children are dying of hunger. But the deaths from severe acute malnutrition are just the tip of the iceberg.

At the Children's Institute, at the University of Cape Town, we have spent over two decades researching the state of South Africa's children, including child health, poverty and nutrition status. We advocate for law reforms to ensure their rights are protected. And we teach child rights courses we've designed for health and allied professionals.

Over the years, our research has highlighted the slow violence of malnutrition experienced by this vulnerable population. Our Children Count website, an ongoing data project that analyses key indicators affecting South Africa's children, shows that the situation is deteriorating.

A growing burden

More than one in four of South Africa's young children are stunted and stunting rates have remained stubbornly high for decades. Of equal concern is the rapid increase in childhood overweight and obesity – also affecting one in four young children. These rates have nearly doubled since 2016 from 13% to 22.3%.

But the problem is not insurmountable. Early intervention is vital.

Research shows that exposure to malnutrition in the first 1,000 days of life (from conception to a child's second birthday) can have an irreversible effect on long-term health and development. Acting early to support optimal nutrition can reduce the burden of noncommunicable diseases, build human capital and drive economic development.

The root causes

To design effective solutions, we need to look beyond individual behaviour to address the root causes. Many children live in severely food insecure households where caregivers skip meals to shield their children from hunger.

Nearly 40% of children live below the food poverty line – in households with a per capita income of less than R855 (US$52) per month, or R29 (US$1.77) a day. This is not enough to meet children's basic nutritional needs, let alone provide a balanced, nutrient rich diet.

At the same time global food corporations have flooded South African markets with cheap, ultra-processed foods, high in sugar, salt and saturated fats, and low in nutrients. These are helping to fuel the rapid rise in obesity. Many children live in "food deserts" where healthy foods are unaffordable or unavailable.

These violations of children's right to basic nutrition have been the subject of an inquiry by the South African Human Rights Commission. When the first round of public hearings was held in March 2026, my colleagues and I called on the commission to put children at the centre of its public inquiry into the food system. The second round of hearings (6-10 July 2026) put the spotlight on the roles and responsibilities of major retailers.

What needs to be done?

Child malnutrition is a complex problem. The whole of society needs to work to ensure that healthy food is both available and affordable. Based on our research we have made five policy suggestions.

1. South Africa needs to start by investing in maternal health and nutrition. Pregnancy is a time of heightened nutritional need, when food insecurity poses a risk to both the mother and her unborn child. This is why civil society is calling for the introduction a maternal support grant, starting in the second trimester of pregnancy. It should then convert automatically to the child support grant after birth, in order to prevent complications and low birth weight, support healthy growth and development, and provide income support when it's needed most.

2. Next, the country needs to improve infant and young children feeding. Breastfeeding is one of the most powerful interventions to prevent both under- and over-nutrition, yet only one in five infants (0-6 months) in South Africa are exclusively breastfed. In addition, only one in four young children (6-12 months) have a minimum acceptable diet. So the health system has a critical role to play in better supporting breastfeeding women and the transition to complementary foods. It also needs to respond proactively to the very first signs of growth faltering and ensure that children at risk of malnutrition can access support through the Nutrition Therapeutic Programme or child support grant.

3. Nutrition support then needs to continue across the life course. Schools and early childhood development programmes are important channels for providing children with a daily meal to alleviate hunger and provide them with energy to play and learn. The National School Nutrition Programme reaches in excess of 9 million learners. And the early childhood development subsidy supports a much smaller proportion of younger children. But neither of these programmes provide support when it's needed most: in the first two years of life when children are most vulnerable to stunting and severe acute malnutrition.

4. The child support grant is the only programme providing younger children with nutrition at scale, yet its value (R580 a month (US$35) or R20 a day) is being eroded by food price inflation. Advocates are calling on the government to increase the grant to at least the food poverty line, starting with the under-twos.

5. These investments in government services are only part of the solution. It is also essential to regulate the food industry by: increasing taxes to reduce consumption of sugar-sweetened beverages; clearly labelling foods that are high in salt, sugar and fat; and ensuring that these are not marketed to children.

In this way, South Africa can begin to create healthier food environments and make it easier for both children and their families to make healthy food choices. We therefore hope that the commission will put clear recommendations in place to prevent the food industry from profiting at the expense of the health and nutrition of our youngest and most vulnerable children.

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www.theconversation.com/south-africas-food-system-is-failing-children-what-must-change