



Exploring the Views of Parents, Early Childhood Development Practitioners, and Learner Support Educators on Access and Realisation of the Right to Early Childhood Education for Children with Disabilities in Ward 3, Nquthu, KwaZulu-Natal.

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This dissertation is dedicated to all children with disabilities who persist in advocating for their right to access basic education. May this research contribute to the advancement of a more inclusive and accessible educational system for everyone.

ABSTRACT

Access to early childhood education (ECE) for children with disabilities continues to pose a substantial issue, notwithstanding national and international commitments made by South African government to inclusive education. This study explored the views of parents, ECD practitioners, and Learner Support Educators (LSEs) concerning access and realisation of the right to early childhood education in Ward 3, Nquthu. This study aimed to investigate the degree to which children with disabilities in Ward 3 of the Nquthu area have accessed their right to early childhood education and to identify challenges, barriers, and the role to be played by relevant stakeholders in realising this right.

A qualitative research method was employed, and the purposive sample was used to select the study population. The study comprised twelve participants: five parents of children with disabilities, five ECD practitioners, and two LSEs from the Umzinyathi District, Department of Basic Education (DBE).

This study found that access to early childhood education for children with disabilities in Ward 3 in the Nquthu area is limited. The main obstacles hindering these children from exercising their right to attend ECE include limited resources, untrained ECD practitioners on inclusive policies, insufficient personnel, poor infrastructure, and societal stigma and prejudice.

The findings of this study align with those of previous research. Children with disabilities continue to be excluded from early childhood education because of systemic barriers. Given that this constitutes a violation of their rights, some of the recommendations made suggest that the government should consider strengthening inclusive education policies, monitoring and evaluating the implementation of these policies, and further provide funding to ECD centers to ensure accessibility, and capacitate ECD practitioners with inclusive education trainings.

ACRONYMS AND ABBREVIATIONS

ACRWC	African Charter on the Rights and Welfare of the Child
CCG	Community Care Giver
CWDs	Children with Disabilities
DBE	Department of Basic Education
DoE	Department of Education
DoH	Department of Health
DSD	Department of Social Development
ECD	Early Childhood Development
ECE	Early Childhood Education
KZN	KwaZulu-Natal
LSE	Learner Support Educator
NQF	National Qualification Framework
SAIS	Screening, Identification, Assessment and Support
SASA	South African Schools Act
UN	United Nations
UNCRC	Convention on the Rights of the Child
UNCRPD	United Nations Convention on Rights of People with Disabilities

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CHAPTER ONE

1.1 Introduction

Guaranteeing access to early childhood education for children with disabilities is both a legal right and a crucial foundation of an inclusive and fair society. The Department of Basic Education (DBE) in South Africa is tasked with actualising this objective. Realising this right in certain geographic areas, such as Ward 3 of the Nquthu may provide new obstacles and opportunities. This research aims to evaluate the progress made by DBE Learner Support Educators (LSEs), Early Childhood Development centres, practitioners and parents of children with disabilities in Ward 3 of Nquthu area in realizing the right to Early Childhood Education (ECE) for children with disabilities and to ensure they these children receive the quality education they deserve.

In a country where education is considered a fundamental right, the issue of providing ECE to children with disabilities is of particular importance. ECE has emerged as a key sector in South Africa, notably in guaranteeing equity and high-quality care for the country's youngest members between the ages of 0 to 5 (Mbarathi, Mthembu, and Diga, 2016). The Department of Social Development (2006:6) provided that "Early Childhood Development (ECD) is a process of emotional, mental, spiritual, moral, and social development for children from birth to nine years". Furthermore, the Department stated that "Disadvantaged children and children with disabilities are often marginalized and their development needs ignored. These children should be accommodated in ECD services. There should be programmes that meet their specific needs" (Department of Social Development (2006:13). The National Integrated Childhood Development Policy (2015) states that Early ECD provides children with a foundation for future learning and development, socialisation, and inclusion in society. This study will primarily focus on ECE access for children with disabilities in Ward 3 of Nquthu in northern Kwazulu Natal (KZN) province. Hartley & Newton (2009) argued that the first 1000 days are crucial for the establishment of synapses and for the future physical, intellectual, socioemotional, and cognitive development of an individual, according to neuroscientists and educators. Hence every child in the country needs to access ECE.

South Africa has signed international and regional treaties relating to people with disabilities. Both the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the Continental Plan of Action for the African Decade of Persons with Disabilities. The UNCRPD also emphasizes the importance of education for children with disabilities and highlights the need for reasonable accommodation to ensure their full participation. Consequently, the country had to introduce and implement legislation and policies to address problems for persons with disabilities and ensure that barriers to accessing their rights are combated. Legislation and policies introduced include the Constitution of the Republic of South Africa (the Constitution), Schools Act 84 of 1996, the Children's Act 38 of 2005, and Education White Paper 6; Special Needs Education, Building an Inclusive Education and Training System (hereafter referred as Education White Paper 6). Legislation and policies will be discussed in detail in Chapter 3.

The Governing Body of the Juma Masjid Primary School v. Juma Masjid Trust, (2011), Western Cape Forum for Intellectual Disability v Government of the Republic of South Africa and Another (2011) and Centre for Child Law v Minister of Basic Education Department, (2020) case which will be discussed more in upcoming chapters demonstrates that children with disabilities' right to education is violated at times. Furthermore, UNICEF (2022) argues that some children with disabilities remain marginalized and, as a result, are unable to access their basic right to education.

Although research has been undertaken on the value of ECE, less is known about children with disabilities in rural areas and their access to ECE. This research will be undertaken in Ward 3 in Nquthu, a remote rural location situated in northern KZN province. Ward 3 includes the following areas: Silutshana, Mbokodo, Mngxangala, Hlinzeka, Shekelela, Ndwalane, Vumankala and Nkobe. The main intention of this study is to explore the extent to which children with disabilities in ward 3 of Nquthu area have accessed their right to early childhood education and to also identify the efforts being made by the DBE in ensuring that the right to education for the above-mentioned children is realized. It should be taken into consideration that ECD duties have recently been transferred from the Department of Social Development to the Department of Education. This study will bring about new knowledge

regarding access to early childhood education by children with disabilities in rural areas and their barriers to accessing this right.

1.2 Background of the study

ECD is acknowledged as a fundamental basis for lifelong learning, well-being, and social engagement. Investment in ECE markedly enhances educational outcomes and fosters social equity, as reported by the United Nations Educational, Scientific, and Cultural Organization (2021). In South Africa, Early Childhood Development (ECD) is prioritised nationally, supported by a comprehensive legal and policy framework that encompasses the Constitution of the Republic of South Africa (1996), the National Integrated Early Childhood Development Policy (2015), Education White Paper 6 on Inclusive Education (Department of Education, 2001), and the Screening, Identification, Assessment and Support (SIAS) Policy (Department of Basic Education, 2014).

These policies promote the integration of children with disabilities and developmental delays into mainstream early learning programmes. White Paper 6 asserts the entitlement of all children to education within an inclusive framework, while SIAS offers a systematic approach for identifying and assisting learners needing extra support. South Africa is a signatory to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which mandates that the state provide persons with disabilities access to inclusive, quality, and free education on an equal basis with others (UNCRPD, 2006, Article 24).

Implementation gaps continue to exist, particularly in rural and under-resourced areas, despite these commitments. Studies show that children with disabilities in rural areas experience considerable exclusion stemming from insufficient infrastructure, inadequately trained ECD practitioners, a scarcity of assistive technologies, and limited community awareness regarding inclusive education (Mbarathi, Mthembu, & Diga, 2016; Matjokana & Bipath, 2024; Biersteker, Dawes, Hendricks, & Tredoux, 2016). In KwaZulu-Natal, particularly in municipalities like Nquthu, children with disabilities frequently face systemic and attitudinal barriers that hinder their access to early childhood development programmes.

Ward 3 of Nquthu, a rural region marked by significant poverty, low educational levels, and insufficient social services, exemplifies the national difficulties in providing inclusive early childhood development (ECD). The Department of Basic Education has made progress in integrating inclusive education into the mainstream system; however, studies indicate that local-level implementation is fragmented, poorly coordinated, and underfunded (Matjokana & Bipath, 2024; Vorster et al., 2016).

This study aims to investigate the perspectives of parents, early childhood development practitioners, and, where feasible, learners regarding access to early childhood education for children with disabilities in Ward 3, Nquthu. This research seeks to engage directly with stakeholders to produce informed insights into the realities of inclusion, enhance policy responsiveness, and improve access and equity in early learning environments.

1.3 Statement of the problem

In rural areas, children with disabilities face significant barriers to accessing their right to education, perpetuating a cycle of exclusion and inequality (Pretorius, and Steadman (2018). Pretorius and Steadman further argue that despite international and national efforts to promote inclusive education, these children continue to be marginalized due to a lack of infrastructure, financial strains, trained teachers, and support services in rural schools. In 2019 South Africa had an estimated 600,000 children with disabilities that do not attend school, but the government has not disclosed precise data (Human Rights Watch, 2019). Donohue, (2014) points out that approximately 70 percent of school-going children in South Africa were not attending school in 2014. This may suggest that some children with disabilities may still be unable to exercise their right to education. The study aims to explore the extent to which children with disabilities in Ward 3 of Nquthu area are affected by this problem and recommend possible means to remedy the situation.

1.4 Research Questions

- To what extent do children with disabilities access their legal rights to early childhood education in Ward 3, Nquthu?

- What are the perceptions of parents, ECD Practitioners, and Learner Support Educators (LSE) regarding challenges, barriers, and implementation of children with disabilities' access to early childhood education in Ward 3, Nquthu?
- What is the understanding of parents, ECD Practitioners, and LSEs regarding the right to access early childhood education and other applicable policy frameworks?

1.5 Research Aim and Objectives

Although access to high-quality education is a fundamental human right, many children with disabilities encounter substantial obstacles. Children with disabilities frequently face marginalisation and exclusion from educational opportunities in rural areas, which prevents them from accessing necessary resources and support (Pretorius and Steadman, 2018). This study intends to explore the extent to which children with disabilities in Ward 3 of Nquthu area have accessed their right to early childhood education and to also identify the role to be played by the Department of Basic Education and stakeholders in ensuring that the right to education for the above-mentioned children is realized. The study aims to assess the current provision of early childhood education for children with disabilities, to explore the perspective of the parents, teachers, and government officials concerning the implementation of legal rights for children with disabilities in early childhood education, and, to propose recommendations that might improve the realisation of this legal right to early childhood education for children with disabilities in the specified area.

1.6 Significance of the study

The study's significance stems from its potential to provide meaningful insights and recommendations for improving early childhood education access for children with disabilities in Ward 3, Nquthu. Ward 3 of Nquthu area is situated in the Northern part of KwaZulu-Natal province, South Africa, which includes several areas with high poverty rates. These areas are Silutshana, Mbokodo, Mngxangala, Hlinzeka, Shekelela, and Nkosi. Poverty in these areas is a complex issue that affects not only the residents but also the wider community. Mngxangala, Hlinzeka, Shekelela, and Nkosi are also areas in Ward 3 that struggle with poverty. These areas are predominantly rural and face challenges such as limited access to infrastructure, such as a shortage of health care facilities, poverty, illiteracy, and high rates of unemployment (Department of National Treasury, 2020). According to the

Early Childhood Development Audit Report Msinga and Nquthu (Umzinyathi District Municipality), 2016:

Of the almost 4000 children attending ECD centres in Nquthu audited, 23 (or 0.6%) have either physical disabilities, mental disabilities or chronic illnesses. There are only 14 children out of the 2504 with physical disabilities, 7 out of 6591 with mental disabilities and 2 out of 619 children with chronic diseases that attend ECD Centres. The proportion of chronically ill or disabled girls attending ECD centres (0.5%) is lower than that for boys (0.7%). 18.4% of the centres have children with either physical and mental disabilities or chronic illnesses, which translates to 0.2 children per centre.

By examining the implementation of legal rights for children with disabilities in early childhood education, this study can offer insight into the existing state of provision, obstacles, opportunities, and stakeholders' points of view. The study's findings could help guide policy development, program implementation, and resource allocation focused on improving the inclusion and quality of early childhood education for children with disabilities. Furthermore, the study's value emerges from its ability to raise awareness, advocate for the rights of children with disabilities, and promote equal access to education for all children in the designated geographic area. Finally, the study has the potential to help improve inclusive education approaches and fulfill the legal rights of children with disabilities to access early childhood education.

1.7 Scope of the Study

The study was conducted in Ward 3 of Nquthu Area. This study employs qualitative research methods, which allowed the researcher to use various data collection methods like focus group discussions and semi-structured interviews. This study intends to explore the extent to which children with disabilities in Ward 3 of Nquthu area have access to early childhood education and to also identify the role being played by the Department of Basic Education in safeguarding and promoting the right to education for these children.

The study is limited to five parents of children with disabilities. The researcher interviewed these parents of children with disabilities, five ECD Practitioners, and two Learner Support Educators from the Department of Basic Education (Umzinyathi District) who are responsible for fostering inclusive education within the district.

1.8 Structure of dissertation

The research study comprises six chapters. Chapter one consists of an introduction, study background, a statement of the problem, research questions, study aims and objectives, significance of the study, scope of the study, and structure of the dissertation.

Chapter Two review the existing literature on the research subject based on the following topics; Early childhood education as a critical phase, challenges and barriers experienced by rural children with disabilities in accessing early childhood education, the evaluation of South Africa's state of inclusive education, possible solutions, research gaps, and literature review summary.

Chapter 3 presents existing international and national legislation and policies relevant to the research study and case law.

Chapter 4 provides further details regarding the qualitative methods employed in the study. Chapter 5 presents the findings obtained and discusses the findings according to various themes that emerged. Chapter 6 discusses the key conclusions and recommendations of the research.

CHAPTER TWO: REVIEW OF LITERATURE

2.1 Introduction

This literature review seeks to explore the literature on children with disabilities regarding access to ECE, particularly in rural areas, and to ascertain if there is a need for further research on the subject. The authors' views and opinions will be discussed using the following themes; early childhood as a critical phase, challenges and barriers experienced by children with disabilities in accessing ECE, inclusion and exclusion in terms of education for children with disabilities, the evaluation of South Africa state of inclusive education, solutions, and research gaps.

2.2 Early childhood education as a critical phase

According to Hartley & Newton (2009), a person's physical, intellectual, social, emotional, and cognitive development depends on what happens within the first 1000 days of life. Winter, (2010) supports Hartley and Newton's argument by stating that "the first three years is the period of the most rapid growth during which there are specific sensitive periods for optimal learning in particular areas". Donoghue and the AAP Council (2017) support the above statements, they assert that young children who get high-quality early education and daycare have better physical and cognitive results and may be more prepared for school. These assertions highlight the significant impact of ECE, hence, there should be no child who is denied this opportunity.

Mbarathi, Mthembu, and Diga (2016) stated that early childhood education can enhance an individual's ability to reach their full potential. Therefore, rural children with disabilities need to access ECE to reach their full potential and make a meaningful contribution to society. Furthermore, children who have access to early childhood education may feel more a part of the community, have higher self-esteem and worth, and be more likely to make significant contributions to society (Fujimoto, 2014). According to a recent study conducted by Geldenhuys & Fataar (2021), findings indicate that inclusive ECE settings foster community inclusion and self-worth.

2.3 Challenges and barriers for rural children with disabilities in accessing ECE

Angel et al. (2015), argue that children who grow up in rural settings may face challenges different from those of their urban counterparts. For example, they may have limited access to resources and services. Mahadew (2024) study found similar challenges such as poor ECE infrastructure, poor nutrition, lack of community partnerships, limited resources which significantly hinder access and quality education for all learners and increases disadvantage for children with disabilities. The primary obstacles to the inclusion of children with disabilities were determined by Ainscow et al. (2006) to be a lack of community involvement, participation, respect for diversity, and sustainability. Effective adoption and implementation of policies aimed at removing obstacles that prevent impoverished and rural disadvantaged children with disabilities from accessing early childhood education are especially necessary. Furthermore, the lack of resources and support has been labeled by Bornman and Rose (2010) as a key infringement to the successful implementation of the policies and legislation on the right to education for children with disabilities. Bornman and Rose further argue that stigma and discrimination also have a role to play in hindering children with disabilities from accessing education.

These claims were supported by Nkomo, Dube, and Marucchi's (2020) study conducted in rural areas of both Swaziland and Zimbabwe. The study found that children with disabilities in rural areas of Swaziland and Zimbabwe are marginalised, and there is a lack of resources to support them. Furthermore, these children are perceived negatively in society. Those who have access to ECE can face discrimination and inadequate resources. As a result, some parents of children with disabilities opt to stay with their children at home (Nkomo, Dube, and Marucchi, 2020).

Donohue and Bornman (2014) highlight a top-down approach to the implementation of inclusive education, and physical barriers such as inaccessible buildings and equipment are huge barriers for children with disabilities to access education. Karisa et al. (2022) assert that the introduction of the SIAS policy represents progress; nonetheless, its implementation at the ECD level is deficient, attributable to infrequent screening and identification of children with learning impairments or disabilities. The authors contend that a joint initiative among pertinent stakeholders, including the DBE, DoH, and DSD, is essential for facilitating early detection and intervention.

Hansungule (2016) study found that a high number of children with disabilities were out of school. The study also found that both special schools and full-service schools available were not sufficient for all children with disabilities. Furthermore, the study points out that children with disabilities are incorrectly referred to special schools instead of mainstream schools (Hansungule, 2016). Hansungule, (2016) also noted the challenges to inclusive education which were highlighted by many authors such as Frank et al, (2010), Ainscow et al. (2006), Donohue and Bornman (2014), and Dombrowski, Sitabkhan & Kilonzo (2023), which include a lack of resources, funding, and skilled teachers who can accommodate different learning needs in the mainstream, full-service, and special schools. However, Richter et al. (2012) found that one of the issues preventing these children from accessing ECE is the lack of cooperation among stakeholders in their care.

Clark, Holness, Nyamadzawo, and Moogi (2024) identify numerous key barriers to the effective implementation of inclusive education, notably in early childhood education in South Africa and Kenya. The authors identify negative societal attitudes and cultural prejudices against disability as a key impediment to educational opportunities. Furthermore, insufficient infrastructure and equipment in many ECE centres limit access to quality education for children with disabilities. The absence of precise information (information vacuums) about these children's rights and entitlements confuses families seeking ECE, resulting in inadequate support (Clark, Holness, Nyamadzawo, and Moogi, 2024). Furthermore, these authors identify a considerable disparity between inclusive education policy and their actual implementation, with inconsistent application resulting in insufficient support for children with disabilities (Clark, Holness, Nyamadzawo, and Moogi, 2024).

2.4 South Africa's state of early inclusive education

ECD migrated from DSD to DBE, and that migration is challenges and opportunities (Karisa et al, 2022). Hodgson (2018) argues that the South African government has failed to implement inclusive education despite putting legislation and policies in place. Hodgson further alleges that the failure to implement inclusive education is another form of discrimination against children with disabilities. More on this, the study conducted by Naidoo on the exclusion of children with visual impairment in early childhood development provision in KwaZulu-Natal indicated that these children are excluded from accessing their right to early childhood education (Naidoo, 2014). This finding is supported by Mpanza's research

into inclusion and exclusion in a South African Primary School situated in Pinetown, KwaZulu-Natal. Mpanza's findings demonstrate that although the country introduced several policies to address the inclusion of children with disabilities, some of these children are still sidelined (Mpanza, 2019).

According to the Hansungule (2016) study, a large percentage of children with disabilities are not attending school. The survey also discovered that both special and full-service schools were insufficient to accommodate all pupils with disabilities. Furthermore, the study notes that children with disabilities are wrongly assigned to special schools rather than mainstream schools (Hansungule, 2016).

The gaps or challenges identified by Clark, Holness, Nyamadzawo, and Moogi (2024), and Frankel, et al (2010), such as a lack of resources and funding, a negative attitude and cultural prejudice, insufficient infrastructure, an information vacuum, and policy implementation gaps, suggest that South Africa is not where it should be in terms of providing inclusive education to all children, particularly those with disabilities.

2.5 Possible Solutions

Frankel, et al (2010) established that educators must have adequate training, sufficient support, and a positive attitude to implement inclusive education successfully. Government departments should offer early detection, tracking, and referral services to parents of children with disabilities during hospital and clinic diagnosis (Naidoo, 2014). There is a possibility of greater inclusion for children with disabilities if the community is knowledgeable of disability and its causes (Trani, et al (2020).

Clark, Holness, Nyamadzawo, and Moogi (2024) suggest ways to increase access to early childhood education for children with disabilities in South Africa and Kenya. Key recommendations include simplifying registration procedures for children in ECE programs, allowing for easier access. Furthermore, there is a request to enhance financing and resources for inclusive educational programs so that they are better able to meet a variety of needs. Promoting awareness and altering attitudes within communities is also essential for expanding knowledge of disability issues, lowering stigma, and fostering inclusion.

Improving infrastructure and facilities is another important suggestion made by Clark, Holness, Nyamadzawo, and Moogi (2024), with an emphasis on making physical environments more accessible and helpful for children with disabilities. Furthermore, giving clear information and guidance is critical to ensuring that families have access to all available services and assistance. Policy implementation must be strengthened to improve the enforcement of existing policies and ensure that they are put into practice effectively Clark, Holness, Nyamadzawo, and Moogi (2024). Finally, fostering community-based approaches promotes programs that involve local communities in the education and care of children with disabilities Clark, Holness, Nyamadzawo, and Moogi (2024).

2.6 Research gaps

Mpanza's findings include teachers not being professionally trained to deal with the educational needs of children with disabilities and the lack of resources to address the learning needs of children with disabilities. However, Mpanza's research (2019) was limited by the fact that it was conducted with a smaller sample and therefore, one cannot generalise the findings for all the children in the country, nor KwaZulu-Natal. Naidoo's study was done in the KZN semi-urban area, yet it gives an idea of what is happening in the part of the country, however, there is still a need for broader research on the subject to validate or invalidate these claims. Both studies' location is not a rural setting, and those findings may not be generalised to children with disabilities in rural areas. Nkomo, Dube, and Marucchi's study is more relevant to the research subject however, it was conducted in two of South Africa's neighbouring countries. There is insufficient literature on early childhood access and inclusion for children with disabilities in rural areas; hence, South Africa needs studies that will particularly focus on how rural children with disabilities access ECE, identify their challenges and opportunities. Broader research needs to be conducted in these areas to ensure that their challenges are identified and addressed effectively. Many existing studies have limited scope, for example are conducted in urban or semi-urban areas and the rural focus remains low.

2.7 Literature review summary

This literature review discussed the views and opinions of authors relating to childhood as a critical phase, challenges and barriers experienced by rural children with disabilities in

accessing ECE, the evaluation of South Africa's state of inclusive education, solutions suggested by authors to remedy the situation, and research gaps. The significance of the first 1000 days for children and the value of early childhood education have been discussed extensively (Hartley & Newton 2009). The body of research on rural children with disabilities' access to early childhood education is somewhat deficient. To find out if and to what extent early childhood education is provided to children with disabilities in rural locations, as well as to identify any barriers that may exist, further research is needed on this topic. Many studies on early childhood education do not often focus on how children with disabilities get access to ECE in rural regions. More studies of this kind are needed to add to the body of knowledge on the early childhood education of children with disabilities, especially in rural regions.

CHAPTER THREE

INTERNATIONAL AND DOMESTIC LAW ON CHILDREN WITH DISABILITIES

3.1 Introduction

South Africa has shown a significant commitment to promoting the rights of individuals with disabilities, especially children, by ratifying various regional and international treaties. These commitments demonstrate the nation's comprehensive efforts to support inclusive education, guaranteeing access to basic education for all individuals, irrespective of their differences (Constitution of the Republic of South Africa, 1996). This study's legal analysis was guided by the necessity to situate the investigation within the overarching human rights and policy framework that governs ECD for children with disabilities in South Africa. Perspectives of parents, ECD practitioners, and LSEs offer significant insight into lived experiences and local implementation issues; nevertheless, these perspectives must be analysed in the context of the state's legal obligations.

Prior to examining legislation and policies, it is essential to explain the concept of “access” to Early Childhood Development (ECD) for children with disabilities via the lens of laws and policies. In this study, “access” to ECD denotes the equitable, inclusive, and substantive involvement of children with disabilities in high-quality ECD programs, especially in under-resourced areas such as Ward 3, Nquthu. Rooted in Section 29(1)(a) of the South African Constitution and further detailed in the National Integrated Early Childhood Development Policy (2015) and Education White Paper 6 (2001), access encompasses not only the physical availability of services but also their affordability, acceptability, and adaptability to the distinct requirements of young children with disabilities. Fredman et al. (2021) emphasize that access should be regarded as a substantive right, necessitating the state to actively eliminate systematic barriers and offer reasonable accommodations to guarantee that no child is excluded.

South Africa has implemented multiple legislative and policy frameworks to promote inclusive education. The Constitution of South Africa is fundamental as it ensures the right to education for every citizen. The South African Schools Act 84 of 1996, National Integrated Early Childhood Development Policy, and White Paper 6 are essential policy instruments that promote the inclusion of children with disabilities in the education system. The frameworks highlight the necessity of equitable access to educational opportunities, underscoring the

government's obligation to eliminate barriers that impede the participation of children with disabilities (UNCRPD, 2006).

In addition to legislative measures, judicial decisions have significantly influenced the implementation of inclusive education. *The case Western Cape Forum for Intellectual Disability v Government of the Republic of South Africa and Another* (2011) highlighted the obligation of the state to ensure educational access for children with disabilities. The ruling condemned the government's inadequacy in providing sufficient educational resources for children with severe and profound intellectual disabilities, requiring the state to implement corrective measures. This case establishes an important legal precedent, emphasising the necessity for government accountability in meeting its constitutional and international responsibilities related to inclusive education.

This chapter examines the international and regional treaties that shape South Africa's commitment to inclusive education, as well as the legislative and policy frameworks established to support this mandate. This study will analyse pertinent case law to elucidate the judiciary's role in promoting educational rights for children with disabilities.

3.2 International treaties and conventions

3.2.1 United Nations Convention on the Rights of the Child (UNCRC)

The CRC imposes a binding legal duty on state parties, including South Africa, to uphold and ensure the fundamental right of all children without any form of discrimination, including based on disability (CRC, 1989). This commitment includes acknowledging the supplementary assistance needed by children with disabilities to fully realize their rights. Article 23 of the UNCRC explicitly recognizes the entitlement of children with disabilities to a complete and dignified existence in settings that promote self-sufficiency and active societal engagement. The article emphasises the need to facilitate effective access to specialist care, education, training, healthcare, and rehabilitation services (UNCRC, 1989).

Furthermore, Articles 23(2) and 23(3) of the CRC underscore the necessity of delivering these vital services free of charge wherever feasible, since access to such assistance is critical for the social integration and comprehensive development of children with disabilities. Nonetheless, whereas Article 3 emphasises the necessity for improved protection for children

with disabilities, it does not confer an unequivocal right to assistance and care. These provisions are conditional upon factors such as resource availability and eligibility criteria (UNCRC, 1989).

Notwithstanding South Africa's acceptance of the CRC, obstacles persist in achieving complete adherence to its stipulations. The absence of targeted legislation concerning the rights of children with disabilities and the insufficient implementation of current policies persistently hinder progress. Recent research by Clark, Holness, Nyamadzawo, and Moogi (2024) highlighted substantial obstacles to the successful implementation of the rights of children with disabilities in the educational system. The analysis calls for immediate policy reforms and enhanced governmental accountability to match South Africa's practices with international norms. Bekink (2022) argues that the lack of specific legislation and insufficient implementation of present policies restrict South Africa's adherence to international law regarding the rights of children with disabilities. These findings underscore the necessity for ongoing endeavours to reconcile legal obligations with the actual implementation of policies and legislation in place.

3.2.2 United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

Article 24 of the CRPD advocates for inclusive education practices and clearly states that no person with disabilities should be denied access to basic education and secondary education based on their disability status. This is the same sentiment echoed by Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa, article 16 provides guidelines on what member States are mandated to do to ensure that persons with disabilities enjoy equal rights to education. In 2018, South Africa presented its Initial Country Report to CRPD, outlining the nation's initiatives to promote the rights of individuals with disabilities. This report prominently featured the implementation of the White Paper on the Rights of Persons with Disabilities (2015) policies, aimed at integrating disability considerations into government policies and planning across all levels (South Africa's Initial Country Report on the Rights of Persons with Disabilities, 2018).

The CRPD Committee (2018) raised concerns about the lack of specific legislation necessary for the effective implementation of the provisions detailed in the policies. This replicates Clark, Holness, Nyamadzawo, and Moogi (2024), who recommended the need to make

changes to the laws and increase accountability to guarantee adherence to global norms. The CRPD committee asserted that the existing legislative gap poses a considerable obstacle to the complete realisation of rights outlined in the CRPD and the White Paper, as the absence of binding legal mechanisms may hinder implementation as well as accountability (CRPD Committee, 2018).

The South African Law Reform Commission (SALRC) has been tasked with investigating the incorporation of the CRPD into national legislation to address this gap. The process involves public consultations and the formulation of legislative measures to ensure compliance with international obligations (SALRC, 2021). The proposed approach involves either amending current laws or enacting new legislation to improve the protection and promotion of disability rights in alignment with the mandates of the CRPD (SALRC, 2021).

The SALRC has made significant progress by drafting the Promotion and Protection of Persons with Disabilities Bill, 2024. This bill has been introduced for public discussion and delineates definitions, prohibitions against discrimination, and measures to promote equality (SALRC, 2024). Public consultation and implementation strategies are anticipated to follow. This significant initiative by the SALRC aims to address legislative gaps. These laws must be introduced to effect change in lives and ensure accountability and implementation, rather than solely conforming to the standards of the CRPD. The Bill does not directly mention early childhood education or children with disabilities in rural areas, this is a step in the right direction, however, one can state that these are huge omissions as its inclusion on the Bill might build a stable foundation and a sense of direction for children with disabilities in such areas.

3.2.3 African Charter on the Rights and Welfare of the Child (ACRWC)

Articles 3 and 13 of the Charter highlight the principle of non-discrimination, asserting that all children, irrespective of race, ethnicity, gender, religion, or disability, are entitled to rights and freedoms. Children with disabilities are entitled to special protection and assistance to uphold their dignity, promote self-reliance, and facilitate social integration (ACRWC, 1990). States are required to allocate essential resources to ensure that children with disabilities can access education, employment, and recreational opportunities. Furthermore, it is essential to enhance accessibility for individuals with disabilities in public spaces (ACRWC, 1990).

Children with disabilities possess the right to early childhood education and support, which are essential for their overall development and societal integration. In South Africa, numerous critiques have emerged, indicating that the government has not adequately addressed the needs of children with disabilities. A significant number of these children remain excluded from opportunities and access to inclusive education (Hansungule, 2016). The existing full-service and special schools are deemed insufficient, resulting in some children with disabilities never attending school throughout their lives (Hansungule, 2016).

3.3 National Legislation and Policies

3.3.1 Constitution of the Republic of South Africa, 1996

The Constitution guarantees fundamental human rights for all individuals, including those with disabilities and children. Murungi (2015). Section 9 states that all individuals are equal under the law. This section provides all individuals with the opportunity for legal protection and benefits (Section 9). Rights to life (Section 11), healthcare, food, water, social security (Section 27), and education (Section 29). Section 28 addresses the rights of children. The Constitution emphasises equality and forbids discrimination, asserting that children with disabilities are entitled to the same rights and protections as their non-disabled peers (Binford, 2015).

South Africa's Constitution is regarded as one of the most effective globally in safeguarding and promoting children's rights (Skelton, 2009, p. 327). Conversely, some contend that children with disabilities do not experience the same benefits from the right to education, as indicated by their low enrollment rates in schools (Manomano, 2023). Clark, Holness, Nyamadzawo, and Moogi (2024) advocate for the enhancement and establishment of targeted legislation to directly tackle this issue. Donohue and Bornman (2014) contended that, despite constitutional provisions, children with disabilities continue to face exclusion from certain rights, including the right to education. Nkomo, Dube, and Marucch's (2020) research indicates that children with disabilities continue to experience marginalisation. The assertions necessitate significant attention and a serious commitment from the State to implement existing policies and support children with disabilities in accessing their fundamental rights.

3.3.2 South African Schools Act 84 of 1996 (SASA)

The South African Schools Act (SASA) 84 of 1996 is essential for guaranteeing educational access for all children, including those with disabilities. Key sections of the Act explicitly address rights as well as the provisions for pupils with disabilities, reinforcing principles of inclusion, non-discrimination, and state responsibility. Section 5(1) and (6) determine that all learners have the right to education, and no child shall be refused admission to a school due to disability. This section is essential for preventing exclusionary practices and ensuring that public schools create inclusive admission policies that cater to learners with special educational needs. Section 12(4) and (5) require the state to create and sustain special schools as needed, ensuring that children with disabilities have access to suitable educational opportunities tailored to their specific needs. Although the SASA mainly regulates formal education and only encompasses Grade R in the early childhood development (ECD) phase, its consideration in this research is essential for various reasons. Grade R is the initial year of formal education and acts as a link between informal ECD programs and the formal education system. Consequently, it serves a vital function in the continuum of early education and readiness for all children, encompassing those with disabilities. This Act is a cornerstone of educational rights for children with disabilities and the promotion of inclusion.

Section 20(1)(g) mandates that School Governing Bodies (SGBs) have a responsibility to prioritise the best interests of all learners, encompassing those with disabilities, alongside ensuring access. This provision requires SGBs to implement policies and strategies that promote inclusivity, enhance infrastructure, and address the needs of learners who require support.

Section 34(1) and (2) address the financial aspect of education for children with disabilities, assigning the government the responsibility to ensure that all public schools, including special schools, receive sufficient funding. This funding is intended to support essential resources, assistive devices, and specialised teacher training to address the varied needs of learners with disabilities.

Despite the Act's mandate that public schools provide accessibility to individuals with disabilities, many public schools still lack the facilities and resources needed to serve pupils

who suffer from intellectual, physical, or sensory disabilities (Donohue and Bornman, 2014). This brings us to the issue of policy implementation that was discussed earlier. The implementation appears to be the primary obstacle preventing children from accessing their rights. Therefore, it is necessary to hire task teams to examine the implementation of policies and provide feedback on each policy, which was done between 2011 and 2012 by the Department of Planning, Monitoring and Evaluation (2013). The Department, along with stakeholders, did a diagnostic review of ECD programme. Alternatively, scholarly articles can be used as a measure of policy success or failure. Brooks, Kotze, Almeleh, and Senona (2022) assessed the policy options for the public provisioning of ECD programmes.

3.3.3 The Children's Act 38 of 2005

The Children's Act serves as the primary legal framework for the protection of children's constitutional rights in their everyday lives (Skelton & Proudlock, 2013). It was accented after the ratification of the CRC and the ACRWC, thus serving as a mechanism for the domestic application of these treaties (Berry, Jamieson & James, 2011). This Act emphasises principles that encompass fair and equitable treatment of children, respect for their inherent dignity, and protection against discrimination based on factors such as disability or health status. Section 6 (f) of the Act acknowledges a child's disability and establishes a supportive framework to address the child's specific needs. The Act additionally supports the principle of the best interest of the child (Children's Act, section 6). Criticism of the Act has emerged; for instance, Martin (2019) contends that, although the Act emphasises prioritizing early childhood development services for vulnerable children, including those with disabilities (Section 93, b), it is lacking in several aspects. It does not necessitate that all government departments provide the comprehensive care required to create a supportive environment for nurturing care; it does not impose any specific obligation on a department to deliver extensive parental or family support. Furthermore, the Act does not address different contexts, such as rural areas; it speaks in general terms, which might be a problem because the socioeconomic disparities in South Africa are huge. This study will examine access to early childhood education in rural areas to assess how this legal right for vulnerable children has been realised.

3.3.4 National Integrated Early Childhood Development (NIECD) Policy (2015)

NIECD Policy of 2015 establishes a comprehensive framework for early childhood development (ECD) in South Africa, highlighting the significance of the initial 1,000 days of a child's life in influencing long-term health, cognitive development, and overall well-being (Republic of South Africa, 2015). The policy aims to guarantee access to inclusive early childhood development services for all children, especially those from disadvantaged and at-risk backgrounds, through the promotion of interdepartmental collaboration among different government sectors (NIECD Policy, 2015). The policy emphasises the public provision of early childhood development (ECD) services, requiring all pertinent government departments to actively participate in delivering essential programs and resources to support ECD (Department of Social Development, 2015).

The NIECD Policy (2015) emphasizes the importance of providing necessary support for children with disabilities to succeed in the ECD system. The policy delineates targeted interventions, such as enhanced public funding for inclusive education and support services, the establishment of specialised services designed for children with disabilities, and the modification of infrastructure to ensure accessible learning environments (Department of Social Development, 2015). The policy also mandates the training of qualified professionals to support children with disabilities and the improvement of management skills across all government sectors to enhance service delivery and coordination (Department of Social Development, 2015). The NIECD Policy strengthens South Africa's dedication to inclusive early childhood education by integrating these measures, in accordance with constitutional obligations and international frameworks, including the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

This policy is fundamental to the study as it addresses the realisation of legal rights for all children. The responsibility for providing Early Childhood Education (ECE) has transitioned from the Department of Social Development to the Department of Basic Education in 2022 (Ally, Ozah, and Peacock, 2022). Consequently, this study aims to determine the role of the Department of Education in ensuring the realisation of the right to ECE, particularly for children with disabilities.

3.3.5 White Paper on the Rights of Persons with Disabilities (WPRPD) (2015)

The WPRPD serves as a fundamental policy framework in South Africa aimed at protecting the rights of individuals with disabilities. This document revises the 1997 White Paper on an Integrated National Disability Strategy, ensuring alignment of national policies with South Africa's obligations under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) (WPRPD, 2015). The policy establishes a systematic framework for inclusion and equality, detailing strategies to remove discriminatory obstacles, enhance service accessibility, and guarantee the comprehensive involvement of individuals with disabilities in all societal dimensions. The WPRPD is based on nine fundamental pillars: the removal of systemic obstacles, the protection of marginalised individuals, the promotion of independent community living, the enhancement of empowerment, the reduction of economic vulnerability, and the strengthening of international cooperation (WPRPD, 2015). The introduction of this policy signifies progress in disability rights; however, there is an urgent need for comprehensive legislation that explicitly addresses and enforces the rights of individuals with disabilities in South Africa more especially in rural areas. The policy does not mention geographical locations, which one may view as an oversight to the rural people with disabilities, who, literature suggests to be experiencing more difficulties compared to their urban counterparts (Hansangule, 2016).

3.3.6 Education White Paper 6; Special Needs Education, Building an Inclusive Education and Training System (2001) (hereafter Education White Paper 6)

Education White Paper 6 aspires to improve the education system so that all learners, including those with disabilities, have access to quality, equitable, and inclusive education. The policy admits that only a small number of learners with disabilities received specialised education, which is typically based on race (Education White Paper 6, 2001). Inclusive education is characterised as recognising that all children can learn, accepting differences, removing learning barriers, and increasing participation in the educational system (Education White Paper 6, 2001). Early identification of challenges, converting schools to full-service inclusive schools, establishing district-based support teams, and transforming special schools into resource centers are all key measures (Murungi, 2015). According to Hansungule (2016), South Africa has significantly improved in terms of enrolling children with disabilities in schools. However, many are left behind. This suggests that the country needs to bolster its

implementation of existing laws and ensure that they are enforceable. Furthermore, such policies might address the intended objective better if ECD programmes could be accommodated and considered as the beginning phase of its implementation of inclusive learning.

3.3.7 Policy on Screening, Identification, Assessment, and Support (SIAS)

SIAS Policy (2014) functions as a crucial instrument within South Africa's inclusive education framework. It aims to establish standardised approaches for identifying and assessing barriers to learning and development, particularly for children with disabilities, and to guide the provision of appropriate support. The policy recognizes that timely identification and intervention are crucial for improving educational access and participation, and it implements a multi-tiered support system (low, moderate, and high) to meet diverse learner needs. The foundation lies in acknowledging that disabilities and learning difficulties are often intensified by environmental and systemic factors, making the policy particularly relevant in ECD contexts where prompt identification and support can greatly improve long-term outcomes.

The SIAS Policy is relevant throughout the ECD programme, however it is primarily implemented through the formal education system (SIAS, 2024). It employs Grade R as the initial benchmark for screening and assistance initiatives, suggesting that younger children (0–4 years) in community-based ECD facilities often lack consistent policy implementation. The policy advocates for early intervention strategies and collaboration among early childhood development practitioners, district-based support teams, and healthcare experts. This relationship is crucial for enabling the early detection of developmental delays or disabilities prior to learners commencing formal education. Given the transition of ECD programme services from the DSD to the DBE, there is a keen interest in examining the current application and effectiveness of the policy, particularly in the rural areas of Nquthu.

3.4 Case Law

3.4.1 Western Cape Forum for Intellectual Disability v Government of the Republic of SA and Another (2011).

Over the last 13 years, the South African Jurisprudence has made huge efforts in recognising and ensuring that children with disabilities, legal rights are enforceable, especially in the realm of education. The popular case of the Western Cape Forum for Intellectual Disability v the Government of the Republic of South Africa (2011) is a great example, it highlights the state's mandate in terms of the provision of education to children with severe and profound intellectual disabilities (paragraph 52 of the case). The case ruling stated that the government failed to provide education for such children, and that is a violation of their constitutional rights, The state was ordered by the court to ensure that staff at Special Care Centres receive suitable accreditation, training, and compensation, and to demonstrate the actions taken to enforce this order (*Western Cape Forum for Intellectual Disability v Government of the Republic of SA and Another, 2011*).

This ruling not only upheld the right to education for every child, irrespective of their disabilities, but it also required the government to actively implement measures that guarantee access to suitable educational resources (*Western Cape Forum for Intellectual Disability v Government of the Republic of SA and Another, 2011*). The outcome of this case affects not just the Western Cape, its further represents a victory for the whole nation and children with disabilities, signifying their ability to access education regardless of where they live, and that the government must be accountable for ensuring the realisation of all children's constitutional rights

3.4.2 Lettie Hazel Oortman v St Thomas Aquinas Private School

White Paper 6, the South African Schools Act (SASA), the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), and the United Nations Convention on the Rights of the Child (UNCRC), children with disabilities have a fundamental right to reasonable accommodations in schools, which is highlighted in the case of *Lettie Hazel Oortman v. St. Thomas Aquinas Private School*. The court ruled in favor of a learner who was using a wheelchair, Chelsea Oortman, requiring the school to remove obstacles and provide her uninterrupted access to toilets and classrooms. The case, which was decided in the

Equality Court, emphasises how important it is for schools to provide inclusive learning environments and shows that, with the right adjustments, regular schools can successfully teach learners with disabilities.

This instance also shows that the main obstacle to inclusive education is not a lack of school capacity but rather a failure to execute policies. In order to demand responsibility and push for the implementation of inclusive education policy, communities, especially parents of children with disabilities, should be capacitated on inclusive policies so they have a basic understanding of the rights of their children.

3.5 Summary of the chapter

This chapter examines regional and international treaties alongside relevant state laws that collectively impact children's rights and welfare, particularly regarding education and the rights of children with disabilities. Treaties, including the CRC, CRPD, and ACRWC, underpin the realisation of rights for children with disabilities. An analysis of the aforementioned tools and authors' perspectives indicates that South Africa possesses effective policies and legislation. The ongoing challenge is the enforcement and implementation of the legislation. The government should prioritize the implementation of existing policies to assess their effects on the population, rather than introducing new policies that may remain unexecuted. This chapter demonstrates that the existence of effective legislation and policies is insufficient if not implemented, resulting in the continued isolation of children with disabilities.

CHAPTER FOUR: RESEARCH METHODOLOGY

4.1. Introduction

This chapter discusses the research methodology used to study the legal rights of children with disabilities in Ward 3 of the Nquthu area, KwaZulu-Natal, South Africa, concerning Early Childhood Education (ECE). This research aims to investigate the level of access to early childhood education for children with disabilities in Ward 3 of Nquthu area, as well as pinpoint the responsibilities of the KwaZulu Natal Department of Education and other stakeholders in ensuring these children's right to education is upheld. A qualitative research approach was chosen to effectively capture the detailed and individual experiences of participants involved in ECE for children with disabilities (Creswell, 2013). This chapter further provides details on the research design, sampling process and population, data collection, data analysis methods used, reliability and validity considerations, ethical considerations, and limitations of the study.

4.2. Research Design

This research utilised a qualitative methodology, which is especially useful for investigating intricate social problems and comprehending firsthand experiences (Creswell, 2013). Qualitative research focuses on comprehending phenomena through the perspective of participants, enabling a more thorough examination of the context and significance of experiences. Utilising a qualitative approach, the study obtained detailed perspectives from various parties such as Early Childhood Development (ECD) practitioners, parents, or guardians of children with disabilities, and DoE officials who deal specifically with inclusive education to reveal the systemic and contextual determinants impacting accessibility to early childhood education for children with disabilities. The need for flexibility was essential due to the exploratory nature of the study, as qualitative methods enabled unexpected themes to emerge (Merriam & Tisdell, 2015). This study design allowed for the recognition of culturally specific obstacles and possibilities for inclusive education in rural South African communities due to the contextual and dynamic nature of ECE services for children with disabilities (Dreyer, 2017).

4.3. Sampling and Population

The sampling method employed was purposive sampling, which is a non-probability technique that allows the researcher to choose participants on criteria or requirements related to the research purpose and objectives (Van der Riet & Durrheim, 2006; Patton, 2022; Etikan,

Musa, & Alkassim, 2016). Purposive sampling is very appropriate for qualitative research, as it involves choosing participants based on their expertise and familiarity with the subject being studied (Etikan, Musa, & Alkassim, 2016). In this case, all selected participants' daily lives entail direct interaction with children with disabilities, and some had previously worked with them. This provided the researcher a chance to obtain reliable and accurate information concerning the challenges, support, and achievement of the right to early education for these children.

According to De Vos et al. (2005), a population is "individuals in the universe who possess specific characteristics". The study participants included five ECD Practitioners chosen to take part. These people are responsible for taking care of and teaching children. They exchanged views on educational methods and obstacles in assisting children with disabilities. Nel, Tlale, Engelbrecht, Nel (2016) highlighted the importance of their experiences in understanding how to effectively put policies and resources into action. Five parents of Children with Disabilities were also chosen and agreed to participate in the research. Parents played a crucial role in sharing their experiences in accessing ECE. Their participation ensured a thorough understanding of the challenges in ECE, such as accessibility, discrimination, and financial constraints identified as primary barriers for children with disabilities (Donohue & Bornman, 2014).

Finally, two representatives of the Inclusive Education (IE) section of the Department of Basic Education's Umzinyathi District who formally work as Learner Support Educators (LSEs) were selected and consented to take part in the study. The two were chosen because they oversee the Department's mission and manage all-inclusive education-related issues in the Umzinyathi District, which includes Nquthu. As a result, they must inform the public of the Department's policies regarding children with disabilities and its responsibility to guarantee that these children have access to high-quality ECE.

Twelve participants were selected based on the following standards:

Be a parent or guardian of a child/ren with disabilities between the ages of 3 and 7 residing in Ward 3 of Nquthu area. Be willing to participate in the study. ECD practitioners teaching in Ward 3 of Nquthu area and currently enrolled a child with a disability or enrolled a child with a disability in recent years and are willing to partake in the study. DBE officials who

deal with inclusive education in Ward 3 of Nquthu area and are willing to take part in the study.

The researcher in this study is a social worker who works in Ward 3 of Nquthu area. Selecting these participants was not a challenging task because of familiarity with the area. ECD centres were visited and asked for their permission to allow their teachers to be part of the study provided they meet the criteria. The ECD centres made things easier for the identification of parents who have children with disabilities. The parents were visited in their homes, the study aims and objectives were explained, and that participation was voluntary. The researcher obtained a gatekeeper's permission from the KZN Department of Basic Education's head office, after which DBE officials were visited and interview arrangements were made. ECD practitioners, parents or guardians of children with disabilities, and LSE from the Department of Basic Education offered a variety of perspectives, which helped the researcher gather different data and gain a thorough understanding of the rights and experiences of children with disabilities in accessing ECE in ward 3 of Nquthu area.

4.4 Data Collection Methods

4.4.1 One-on-one Interviews

The researcher utilised semi-structured interviews to conduct one-on-one interviews. Forinash, (2012) states that semi-structured interviews employ interview guides that outline the topics and issues to be covered, while also permitting the researcher to maintain flexibility, informal interaction, and a conversational tone. This approach enables the researcher to tailor the interview style and adjust the order and phrasing of questions for each specific interview. This also enabled the interviewer to explore further details and follow up on specific subjects mentioned by the interviewee (Forinash, 2012).

The interviews were conducted in the participants' homes, offices, and ECD centres offering a safe and secure setting. This established a comfortable environment in which the participants felt at ease and could express their experiences, emotions, and thoughts. The interviews lasted from 20 to 30 minutes for every participant except for DoE officials who were asked by their supervisor to interview at the same time to save time because they were pressed for work, that interview took 1 hour and 3 minutes. The researcher interviewed

parents using Isizulu. ECD practitioners' interviews were in Isizulu but with a little English here and there. Even the LSEs interview was mostly in Isizulu because that is the language, they are most comfortable with however English was used as well.

The tools for data collection were converted into isiZulu through the back-translation method. In back translation methods, the initial measure is translated into the target language (IsiZulu) and subsequently retranslated into the original language (English) by a different translator (Foxcroft & Roodt, 2013). The researcher converted the instruments from English to IsiZulu and subsequently provided the translated version to another bilingual translator for retranslation into English.

4.4.2 Data Collection Tools

A semi-structured schedule, also known as an interview guide, was developed by the researcher. This was used as the main tool for collecting data. Apart from the interview guide, the researcher used observation as part of collecting data since interviews took place in the homes or workplaces of research participants. The researcher used pre-set themes emanating from the literature review to develop the interview guide.

The researcher developed a semi-structured schedule, and it was used as a tool to guide the interviews. According to De Vos et al. (2011), an interview guide is “a list of general questions that do not prevent participants from providing other information that they deem appropriate for the subject and purpose of the research.” De Vos et al., (2011) further state that an interview schedule acts as a framework for the interview's progression, yet it remains flexible, allowing participants to expand on their answers and provide meaningful comments. Questions asked during the interview were connected to the research's main questions and study objectives. The main topics covered in the interview schedule aimed to gather insight from the parents or guardians of children with disabilities, ECD Practitioners, and Department of Education Officials.

The following topics outline the information interview guide aimed to gather from the participants:

- ECE access for children with disabilities in Ward 3 of Nquthu area. Barriers to the realisation of the right to ECE for children with disabilities in Ward 3 of Nquthu.
- The role and efforts of KZN DBE in fulfilling this right for children with disabilities.

- Challenges faced by parents or guardians of children with disabilities, ECD Practitioners, and the LSEs concerning ECE for children with disabilities.
- Recommendations from parents, guardians, ECD Practitioners, and LSEs.

The interview schedule proved to be helpful as it allowed flexibility and enabled the researcher to look further into other important aspects of the study and helped in terms of shaping and guiding interviews to gain richer data. As stated by De Vos et al. (2011), those involved in an interview should be seen as "experts" regarding the topic under examination and should be motivated to express their views completely. To alleviate any concerns, participants received comprehensive information about the study's aims and objectives. Furthermore, they received information about the interview process, highlighting the significant role their feedback would play in the research.

4.5 Data Analysis

Data analysis entails the arrangement and interpretation of unprocessed data to enable conclusions to be drawn and to obtain a more profound understanding of the research subject. This procedure facilitates the examination of ideas, theories, and concepts presented by the research (Babbie & Mouton, 2007).

This study's data analysis procedure adhered to the steps specified by De Vos et al. (2011). Firstly, parents or guardians' interviews were conducted in Isizulu, ECD practitioners' interviews were conducted in Isizulu and English, and LSEs interviews were conducted in both Isizulu and English. All these interviews were then translated into English.

The researcher then examined the notes made during interviews and read transcripts to fully understand the presented data. Records of the emerged thoughts, meanings, and ideas were made. From the transcripts, all codes were recorded. The data was then classified and that led to the identification of common themes and patterns. The researcher went through all the transcripts again to ensure that the identified themes truly reflected what was on the transcripts. Finally, themes were examined, classified, and categorised. Thematic analysis was utilised to make sense of the qualitative data. This approach entailed recognising, examining, and communicating trends (themes) found in the data (Braun & Clarke, 2006)

The researcher compared the study's outcomes with other relevant studies and examined the current legislation and laws regulating children with disabilities regarding their right to education.

4.6 Trustworthiness of the study

In research evaluations, according to Joppe, (2000), the terms validity and reliability are commonly used to measure a study's quality. Reliability is defined as the degree to which outcomes are consistent over time (Joppe, 2000; Yin, 2016). This highlights that reliable results are those that truly represent the study population. Validity refers to the extent to which a method for collecting data effectively measures what it is supposed to measure (Joppe, 2000). It is crucial to recognise, though, that attaining complete validity and reliability may not always be possible; rather, researchers strive for acceptable levels of each. Numerous studies indicate that researchers often aim to include aspects of both validity and reliability in their research (De Vos et al., 2011).

This study used the Lincoln and Guba model to examine reliability and validity of the study. This model has four main concepts which are deemed essential for assessing reliability and validity. These concepts include credibility, transferability, conformability, and dependability (Babbie and Mouton, 2001).

4.6.1 Credibility

This study implemented several strategies such as prior engagement with the community, peer debriefing, completion of consent form prior interviews, and feedbacking participants to achieve credibility. De Vos et al. (2011) assert that:

“Credibility is the alternative to internal validity, where the goal is to prove that research is being conducted in such a way as to ensure that objects are accurately identified and described.”

This means that a true reflection of what transpired should be interpreted as it happened to achieve credibility. To ensure accuracy, the researcher used participants' home language in consent forms, and interviews, which was easier to understand and interpret. Notes were made during the interview for those participants who were skeptical about being voice-recorded. The Researcher asked participants for clarity in case the answers were not clear, that ensured that the Researcher captures true experiences and views of participants.

The transcripts were sent to the supervisor for review to ensure that researcher assumptions and biases are removed because the study should always represent the views and experiences of the participants not that of a researcher. Additionally, the researcher provided feedback to the participants at two points, following data analysis and after compiling the report. Providing feedback post-data analysis helped the researcher verify that all information had been recorded and that the themes accurately represented their experiences.

4.6.2 Transferability

According to De Vos et al., (2011) transferability is defined as the extent to which findings from findings from qualitative can be applied or generalised to different settings or contexts. This is accompanied by providing thorough descriptions of the research findings, enabling other researchers who want to duplicate the study to achieve that. To ensure the transferability of the study, the researcher used individual' interviews, notes taken during interviews, and observation.

4.6.3 Conformability

The extent to which research outcomes represent the focus of the inquiry instead of the biases of the researcher is defined by Babbie and Mouton (2001) as conformability. It highlights the significance of truthfulness in data presentation. Blanche et al, (2006) suggest establishing conformability by maintaining a thorough audit trail of the steps taken in the data collection and analysis. In this study, the researcher developed interview guides for parents or guardians, ECD practitioners, and LSEs. All the interviews followed the shape of the guides and some were tape-recorded, for those that were not recorded field notes were taken. These tools (transcripts, tape recordings, field notes were all kept in a secure place as per the laws of the University of KwaZulu-Natal which stipulate that raw data must be in a secured place and electronic versions need to be password protected and should be stored at university lockers and be destroyed after 5 years.

4.6.4 Dependability

Lincoln & Guba, (1985) asserted that dependability pertains to the reliability and uniformity of research results across time and under comparable conditions. It guarantees that the research methods and results are dependable and can be reproduced by others. In this research, various steps were implemented to guarantee reliability. A comprehensive log of all research choices, data-gathering methods, and analytical processes was kept. This audit trail promotes transparency and permits other researchers to replicate the same procedures to

confirm the results. Methodologically, the research was consistent because it followed a defined and organised methodology, guaranteeing that data collection, analysis, and interpretations were according to the ethical research standards.

4.7 Ethical Considerations

When conducting research with human participants, especially vulnerable populations like children with disabilities, ethical considerations are important. Ethics is “a widely recognized set of moral rules set by individuals or groups. Ethics sets rules of conduct and behavioural expectations that affect all areas of life.” (Strydom, 2011). The researcher is a social worker registered with the South African Council for Social Service Professions (SACSSP); hence the researcher must adhere to the established code of ethics governed by the Social Services Professions Act No. 110 of 1978. In this research, the ethical measures outlined by De Vos et al. (2011) were adhered to. Most importantly, the research ensured that all participants were protected from all kinds of harm, and participants were referred to relevant institutions to access certain assistance for example admission of their children to ECD centres and special schools.

4.7.1 Ethical Clearance

The researcher in this study submitted an ethical clearance application to UKZN Humanities and Social Sciences Research Ethics Committee (HSSREC) detailing how the research will be carried out and how will the participants be protected from harm, majors in place to protect participants who might be affected by interview questions. After the committee was satisfied with the majors in place for protecting participants, the ethical clearance was issued, the reference number for the ethical clearance is HSSREC/0000749/2024 and is attached as appendix A.

The researcher received a permission letter to conduct the study from the gatekeepers which are KZN Department of Education and ECD centres. Parents signed consent forms after the researcher read them the letter detailing everything about the study aims and objectives.

4.7.2 Voluntary Participation

Voluntary participation means that individuals in any research should not be involved under pressure or if they believe they have no alternative options. The researcher assured the participants that their involvement in the study was entirely voluntary, and they could withdraw at any point if they wished, without any consequences or harm.

4.7.3 Informed Consent

According to Bless et al, (2006), informed consent pertains to the participants' entitlement to understand the nature of the research, its impacts, the associated risks, and benefits, and to be made aware that they have the option not to participate if they choose. The research participants were handed a letter detailing everything about the research and their rights. The researcher read the letter in their language of choice to ensure they understand the entire content of the research. Participants signed the consent form once they indicated that they comprehended the information and interview procedure. The participants were allowed to pose questions and seek clarification.

4.7.4 Avoiding Deception

Participants received both verbal and written information about the study's objectives, its nature, and other pertinent aspects. The researcher communicated to the participants that this study is part of a Master's programme requirement. No promises were made about changing their situations or receiving any form of incentive for them to take part in the research.

4.7.5 Anonymity/Confidentiality

The identification data of participants during the study remained anonymous. As a result, participant names are omitted from the texts, so the responses can never be linked to the individuals. All pertinent information and data were handled with the highest level of confidentiality. For instance, the DBE officials were unnamed and referred to as LSE 1 and LSE 2. Even if the report on findings is provided, the Department will still be unaware of who made each statement.

4.7.6 Avoidance of Harm

The researcher alerted the participants to indicate if they needed a break or to stop the interview if it was difficult to continue to ensure they were protected from harm. The researcher happens to be a social worker; therefore, if there was a need for counseling after

or during the interview, counseling would have been offered. Fortunately, there was no trauma or discomfort reported and identified; the researcher advised the participants to seek help should any trauma and discomfort arise after the interviews. Those individuals were going to be referred to the relevant institutions for help.

4.7.7 Release or Publication of Findings

The researcher assured the participants that they would be updated on the outcomes and conclusions of the study. De Vos et al. (2011) proposed that the study be submitted to the organisation in a written report. This aims to enhance its importance for review as research. The findings of this research will be provided to the participants and related organisations, for example, DoE and ECD centres.

4.7.8 Compensation

Participants were informed prior agreeing to partake that there are no rewards or incentives for taking part in the study, hence it is voluntary.

4.8. Limitations of the Study

Although the study had its strong points, some limitations were recognised. The research faced certain limitations; nonetheless, they were suitably managed without affecting the quality of the results. Below are some of the observed limitations:

4.8.1 Gender

All 12 participants in this study were females (five ECD practitioners, five parents of children with disabilities, and 2 DoE officials). The research might not adequately reflect the viewpoints and experiences of male participants, who could hold differing opinions or positions regarding ECE for children with disabilities.

4.8.2. Study location or focus

The research's concentration is on Ward 3 of Nquthu, a rural area in the Northern KZN province, Umzinyathi District, this location might restrict how relevant the results are for other regions with varying socio-economic and cultural factors. Therefore, there is a need to conduct similar studies in other regions to gain more understanding on this topic.

4.8.3. Language

The interview guide was subsequently translated into isiZulu through a back-translation method to guarantee the tool's equivalence. Additionally, translating the interviews from isiZulu into English could be prone to translation mistakes. To reduce this limitation, the

researcher sought help from a professional translator to guarantee that the meaning is preserved and accurately represents the views of the research participants.

4.8.4 Sampling Bias

Utilising purposive sampling might have failed to encompass a wide range of experiences in the community, resulting in potential constraints on the applicability of the results beyond the study location (Patton, 2015).

4.9 Summary of the chapter

This chapter provided an overview of the research methodology, focusing on qualitative research design, purposive sampling, data collection and analysis methods, and steps for ensuring the study's trustworthiness which include credibility, conformability, transferability, and dependability. The ethical considerations and limitations were further discussed. This study aimed to enhance comprehension of the obstacles and advancements in achieving the right to ECE for children with disabilities in Ward 3 of the Nquthu area by consulting ECD practitioners, parents of children with disabilities, and LSE from DBE.

CHAPTER FIVE FINDINGS AND DISCUSSION

5.1 Introduction

This chapter outlines and analyses the study's findings, focusing specifically on the notion of "access" to ECD for children with disabilities in Ward 3, Nquthu. The analysis applies the "4 As" framework: Availability, Accessibility, Acceptability, and Adaptability to comprehensively assess the inclusivity and efficacy of ECD supply. These criteria extend beyond the physical availability of services to assess whether ECD programs are adequately resourced, financially accessible, culturally and developmentally suitable, and sufficiently adaptable to accommodate varied learning requirements. Fredman et al. (2021) contend that access to education should be regarded as a substantive right, necessitating the state to actively eliminate institutional barriers, especially for marginalized populations like children with disabilities in remote areas. The study's findings indicate that deficiencies in one or more areas persistently hinder substantial inclusion, highlighting an urgent necessity for policy and operational reforms that prioritise the lived experiences of children and families in marginalised groups. This chapter further presents the findings and discussion based on the themes that surfaced from the information gathered through semi-structured interviews.

5.2 Background to the Research Participants

The study was designed to examine the level of access to ECE for children with disabilities in Ward 3 of the Nquthu area by exploring the lived experiences and insights of parents of children with disabilities, ECD practitioners, and LSEs. These individuals are determined to be significant pillars of inclusive ECE for children with disabilities.

5.2.1 Parents of children with disabilities

These parents of children with disabilities reside in Ward 3 of Nquthu area, and their children are between the ages of 3 and 7. Some of their children are accessing ECE while some are staying at home due to certain reasons, such as shortage of resources, inexperienced ECD practitioners in caring for or educating children with disabilities, and lack of infrastructure to be discussed in the upcoming themes.

5.2.1.1 Demographic information of parent and their children with disabilities

Participant (parent)	Employment Status	Number of Children	Age of the Child	Child's Gender	Type of Disability	Date of diagnosis	Is the child attending ECD?
Parent 1	Unemployed	2	7	Male	Autism Spectrum Disorder	2023	No
Parent 2	Unemployed	2	4	Male	Cerebral Palsy	2022	No
Parent 3	Unemployed	1	5	Female	Cerebral Palsy	2022	Yes
Parent 4	Employed	3	4	Female	Autism Spectrum Disorder	2023	No
Parent 5	Employed	1	4	Male	Cerebral Palsy	2022	No

5.2.2 ECD Practitioners

Professional and Demographic Information of ECD Practitioners

Participant	Gender	Years of Experience	NQF Level in ECD	Experience with children with disabilities	Location, Within Ward 3 of Nquthu? Yes or NO
Practitioner 1	Female	16	NQF Level 4	Previously enrolled	Yes
Practitioner 2	Female	5	NQF Level 4	Currently enrolled	Yes
Practitioner 3	Female	8	NQF Level 4	Currently enrolled	Yes
Practitioner 4	Female	4	NQF Level 4	Previously enrolled	Yes
Practitioner 5	Female	15	NQF Level 4	Currently enrolled	Yes

5.2.3 Department of Basic Education Officials (LSES)

Participant	Gender	Position	Qualifications	Years of Experience	Scope of work provided	Areas of operation
Learner Support Educator 1	Female	Learner Support Educator	Bachelor of Education	15	Inclusive education support to ECD practitioners, Educators, and Learners	Umzinyathi District (Nquthu, Dundee, Msinga, Greytown, and Kranskorp).
Learner Support Educator 2	Female	Learner Support Educator	Bachelor of Education	15	Inclusive education support to ECD practitioners, Educators, and Learners	Umzinyathi District (Nquthu, Dundee, Msinga, Greytown, and Kranskorp).

Two officials from the DBE were interviewed; both worked as Learner Support Educators (LSE) from 2010 up until this year. Their mission is to help all educators and students and guarantee that inclusive education is implemented in the Umzinyathi District.

5.3 Results and Discussions

5.3.1 Themes emerged from the data

The identified themes and categories were generated manually through a qualitative data analysis methodology. The researcher employed open coding to discern essential concepts pertinent to the study's subject after meticulously analysing the interview transcripts. The first codes were further categorised according to patterns and similarities. Analysis of connections among categories, yielding comprehensive, cohesive themes that authentically reflect participants' experiences and perspectives. This collaborative and reflective method facilitated a comprehensive analysis of the data, ensuring that the themes were firmly grounded in the reality of inclusive ECD programme provision and access to ECE for children with disabilities in Ward 3, Nquthu.

Table 5.3.1.1: Indicating Emerging Themes

Themes	Subthemes
Understanding and Knowledge of Inclusive Early Childhood Education	• Understanding of educational rights for children with disabilities. • ECD Practitioners' understanding of inclusive education policies. • Perceptions of Officials from the DBE on Inclusive Early Childhood Education.
Challenges in implementing Inclusive Education	• Insufficient training for Early Childhood Development practitioners. • Parents' hesitance to recognize disabilities • Teacher's reluctance to complete SIAS forms.
Lack of resources and support systems	• Infrastructure • Insufficient specialized educational institutions and skill centres. • No medical personnel in DBE. • Lack of availability of School-Based Support Teams (SBST) in ECD facilities.

Training and Capacity Building	• Insufficient training programmes for early childhood development practitioners (SAIS and inclusive education policies). • Inadequate oversight and assessment of training outcomes. • Inadequate training for parents or guardians on disabilities.
Government, community, and parental involvement	• Lack of awareness campaigns. • Cultural and customary beliefs' role in delaying medical assessment.
Policy Implementation and Gaps	• The application of SIAS policy: its strengths and weaknesses. • The Impact of Education White Paper 6 (Inclusive Education Policy). • Revision of the current policies to ensure inclusion.

5.3.2 Analysis and discussion of themes

This section provides a comprehensive examination of the main themes and subthemes derived from the data analysis. The results emphasise the viewpoints of parents, early childhood development practitioners, and Department of Education officials regarding the execution of inclusive education. Despite advancements in the introduction of policies like Education White Paper 6 and some training initiatives, issues remain in the allocation of resources, lack of awareness about disability, implementation of policies, and the stigma and prejudice associated with disabilities. The subsequent discussion analyses these findings, establishing links to the current literature, policies, and legislation.

5.3.2.1 Understanding and Knowledge of Inclusive Early Childhood Education

Understanding educational rights for children with disabilities has been a challenge for many, including some of the parents who took part in the study. The findings reveal that, although LSEs from DBE and specific Early Childhood Development practitioners possess a satisfactory level of understanding of inclusive education policies, including the SIAS framework and White Paper 6, parents frequently exhibit a limited awareness of their children's educational rights. When asked about the overall understanding of the right to ECE for children with disabilities, Parent 2 replied as follows:

I used to believe that all children must have a right to access ECD centres until I got my child. It is difficult for me as a parent to look after him, imagine another person who is not even a relative. No, I prefer to stay home with him. I don't think anyone can better care for him. (parent 2)

This indicates that parent 2 was aware of the rights; however, upon the birth of her child, she disregarded them by prioritising the child's immediate condition without considering alternative options. One may comprehend her decision given the condition of ECD centres; however, her assertion suggests a loss of belief in the right of children with disabilities to access these centres.

Some parent participants demonstrated a high level of understanding of the right to access basic education for children with disabilities by stating the following:

I think children like mine should be given a chance to go to any school without experiencing challenges. They should not be discriminated against because they are humans too. (Parent 1)

Children should go to ECD regardless of their disability status. (Parent 3)

My understanding of the legal rights of children with disabilities regarding ECD is that children with all types of disabilities should be treated as equal to those who do not have disabilities however due to a lack of resources and government loopholes, they end up being excluded from benefiting from such rights. (Parent 4)

I know little about this, but these children have the right to go to school just like any other child. The government must provide them with support and resources to access educational opportunities and grow, and they should be treated with respect and dignity. (Parent 5)

These findings may suggest that although some parents participating in the study are aware of the general rights of children with disabilities, there is a need for further education and provision of information concerning the specific legislation and policies that protect and promote these rights.

Early Childhood Development practitioners acknowledge the significance of inclusive education but face challenges in policy execution, limited resources, and inadequate training. Their understanding is predominantly theoretical, necessitating enhanced practical application and continuous support from educational authorities.

Their remarks corroborate Angel et al. (2015) and Bornman and Rose's (2010) arguments that children with disabilities in rural regions encounter distinct problems relative to their urban counterparts, such as restricted access to resources and services. Members of the portfolio committee on Basic Education expressed similar concerns on November 15, 2024, regarding the lack of resources and infrastructure in early childhood development (ECD)

centers situated in rural areas (Republic of South Africa Parliament, 2024). The following remarks are from ECD practitioners regarding their inclusive practices for children with disabilities in their facilities:

Well, I am not sure but we try although we don't have any training on inclusive education. The challenge is that there are no resources or even a curriculum designed for slow learners or children with disabilities, so we teach them just like all other children. (ECD Practitioner 2)

Like I said before no ECD Practitioner here was trained for inclusive education, what we do is what we believe is right. We do not know whether it is in line with inclusive practices. (ECD Practitioner 3)

We try to do the same for all children. For example, if we have games, we involve all of them. We do this so that they feel part of the group and not isolated. The major challenge is the lack of training and resources specifically for children with disabilities. (ECD Practitioner 5)

This demonstrates that some of the practitioners are willing to learn to welcome and serve all children equally and fairly, they are let down by systemic failures.

The perceptions of LSEs participants on Inclusive Early Childhood Education indicated that inclusive education is a basic policy priority essential for ensuring fair educational opportunities for all children, including those with disabilities. They contend that early childhood education is a crucial phase where early intervention can significantly improve long-term learning results. Consequently, they asserted that they trained some of the Early Childhood Development practitioners, including those in Nquthu area. Nonetheless, significant obstacles continue to hinder the attainment of truly inclusive education.

We believe that all children have a basic right to education, that's why we trained ECD practitioners in August and September 2024. We covered all Local municipalities including Nquthu, Msinga, and Greytown. We expect those (ECD Practitioners) to implement the SIAS policy in 2025 as we just trained them. (LSE 1)

Screening Identification Assessment and Support (SIAS) policy, we expect that in 2025 each learner will have a learner profile, which consists of all the details of illnesses, milestones even social grant details, and allergies. This profile will help teachers and practitioners to know how to better educate and care for that particular child. (LSE 2)

To add the profiles must be accurate and complete in terms of information. Learner profile is very important and we are aware that some parents do hide certain information that is crucial only to find that teachers pick it up later. (LSE 1)

These efforts are an indication of a step in the right direction, although the majority of the ECD practitioners asserted that they had not been part of inclusive education training. The positive is that practitioners have already started practicing without proper inclusive education training. Frankel et al. (2010) illustrated how teachers require comprehensive training, adequate support, and a positive attitude to effectively implement inclusive education. Provided that all ECD practitioners acquire enough inclusive training, there is a significant likelihood of enhancing access to ECE for children with disabilities, as others are currently accommodating these children without appropriate training.

5.3.2.2 Challenges in Implementing Inclusive Education

Insufficient training for Early Childhood Development practitioners

A significant problem identified in Hollings' (2021) study regarding the absence of workshops and educators' training was seen as a hindrance to the implementation of Inclusive Education (IE). In the current study, only one out of five practitioners reported having attended inclusive education training, and even she acknowledged that the training had taken place many years ago. The remaining practitioners said they had not yet received any inclusion-specific training. When questioned about their experiences with inclusive education training, the practitioners reacted like this:

I attended a two-week training conducted by TREE, I think, 10 years ago. We did not get a certificate, but it was just the training, we never received the tools and resources to cater to the needs of these children. (ECD Practitioner 1)

Other practitioners who did not attend any training had this to say:

No, I have not attended any inclusive training as yet. (ECD Practitioner 3)

No, I have not. (ECD Practitioner 4)

No, I have not attended one at the moment, however, my colleagues from other ECD centres have attended the training is available to practitioners from organizations that have enrolled children with disabilities and are recipients of Assupol sponsorship. (ECD Practitioner 5)

This data supports Mpanza's (2019) conclusion that a lack of professional training specifically for educating children with disabilities is a significant barrier to IE implementation. To overcome this significant obstacle, there is an urgent need for comprehensive, disability-specific training programs that provide practitioners with the skills

and knowledge necessary to meet the full range of disabilities and individual learning needs in early childhood development settings.

Parents' hesitation to recognise disabilities due to stigma and prejudice

The findings suggest that some parents are reluctant to acknowledge and accept the disability of their children because of the stigma and negative perceptions associated with disability. LSE 2 stated that:

And because of the stigma some parents decide not to apply for a special school for their children and keep on saying the child needs cultural or traditional intervention because it's not disability. (LSE 2)

This statement was supported by LSE 1, who recalled a case she dealt with, whereby a child referred to a special school to a school for mentally challenged children.

There was a case whereby a child was about to be transferred to a special school in Dundee, and once the name of the school was said, the child said that school is for children who are mentally ill. (LSE 1).

When asked about the access to ECD for children with disabilities in her area, ECD Practitioner 5 further supported the points made by stating that:

I would say it is poor because some parents are still afraid to send their children to our facility. We even go and ask them as practitioners to bring the children. Some do not bring children even after our attempts. (ECD Practitioner 5)

Data indicates that this is partly why some parents prefer to remain at home with their children and are hesitant to seek assistance due to stigma and discrimination. This also illustrates a deficiency of information from the community concerning disability. These findings are in line with what was discovered in the review of the literature, Clark, Holness, Nyamadzawo, and Moogi (2024) identified negative societal attitudes and cultural prejudices against disability as a key impediment to educational opportunities.

Teacher's reluctance to complete SIAS forms

The reluctance of certain educators to accurately fill out the SIAS forms, which purportedly encompass all pertinent information regarding the child's medical history, allergies, and other critical details, has been recognised as another obstacle to the effective implementation of inclusive education. The LSEs stated the following:

Teachers and practitioners are not completing forms accurately. (LSE 1)

To add even if teachers do not want to complete the form because it's a lengthy form, we also encourage them to have an observation book because the form requires completeness and accuracy. That form is key for every child to access our help, so without it, the child does not get help. (LSE 2)

The SIAS policy seeks to enhance access to quality education for vulnerable learners and those facing learning barriers, including a) Learners in mainstream schools who are unable to learn due to various obstacles (family disruption, language challenges, poverty, learning difficulties, disabilities, etc.) within the framework of inclusive education (SIAS, 2014). It also goes hand in hand with the White Paper 6 (Inclusive Education) policy of 2001. Therefore, it is important that educators fully implement it for all children who require assistance to benefit.

5.3.2.3 Lack of resources and support systems

Insufficient infrastructure has been labelled as the main impediment to inclusive education, especially in ECE centres.

The practitioners were asked about the necessary changes to provide access to early childhood education for children with disabilities; their comments are as follows:

Fix the facilities to be accommodating to children with disabilities. (ECD Practitioner 1)

I would like to see ECD facilities that are inclusive, especially here in rural areas. These facilities should cater to all the needs of children, and the Practitioners should be equipped to care for them. (ECD Practitioner 1)

The challenge is that there are no resources or even a curriculum designed for slow learners or children with disabilities, so we teach them just like all other children. (ECD Practitioner 2)

I think resources and training are the missing link to inclusive education because we enroll the child, but if there are no assistance devices, for example, walking ramps for children who are using wheelchairs, it becomes a problem because the learning process of that child may be affected compared to that of the other children. For example, if we have to do outside activities and there is no wheelchair for the child with disabilities, it becomes a problem. (ECD Practitioner 4)

Article 24 of the UNCRC stipulates that governments shall make all efforts to ensure the fulfillment of the rights of the child to access education. According to this Article:

countries must ensure an inclusive education system by making reasonable accommodations and providing support services, including accessible infrastructure. (UNCRPD, 2007).

These comments by participants prove that the issue of infrastructure remains, as it has been recently discussed in the DBE portfolio committee in November 2024 (Parliament of the Republic of South Africa, 2024). Even though there are challenges, the UNCRC states that the government must do all means possible to ensure that education is accessible for all children regardless of disability. Hollings (2021) found that schools were not catering for inclusivity as there were no ramps for children with wheelchairs. Hansungule, (2016) study found that both special schools and full-service schools available were not sufficient for all children with disabilities. Clark, Holness, Nyamadzawo, and Moogi (2024) found that insufficient infrastructure and equipment in many ECD centres limit access to quality education for children with disabilities. This study reveals a similar problematic situation.

Insufficient specialised educational institutions and skill centres

When asked about additional support the Department of Basic Education requires to fulfill the right to ECE for Children with disabilities, they responded as follows:

The government should build more special schools and skill centres, especially for those children you are identified with at a later stage. Right now, there is a huge number of children on the waiting list to enroll in a special school, and some of these children may never get the opportunity. For these children, a waiting list should be considered for skill courses. (LSE 1)

Special schools are still needed indeed and even skill centres are needed, children are there and there are many. Some give up and end up on the street because of waiting for more than 2 years not because of teachers, there is a shortage of special schools. (LSE 1)

We hope one day it will happen because these facilities are needed, especially adult youth skills centres and special schools. (LSE 2)

These claims support Hansungule's (2016) study, which found a high number of children with disabilities who were out of school. The study also found that both special schools and full-service schools available were not sufficient for all children with disabilities. It is important to note that these challenges refer to primary education, however, these issues still exist today, as stated above, and may directly affect those with disabilities at ECD levels, considering that their next step in life is going to a primary school.

No medical personnel in DBE

During the interview, LSE from DBE explained the difficulties they faced while referring children to public hospitals (Department of Health) because their department does not have medical personnel.

...as human resources, if we had a psychologist and Occupational Therapist, we would not be having many problems. Right now, it seems like we flooding the Department of Health professionals. If we had our health care professionals like psychologists, physiotherapists, and audio who are employed by our department to serve this district I believe things could be better (LSE 1)

At times we refer cases only to find that the required medical personnel are not available, the ones available are found at private hospitals. Only a few of these children can afford private hospitals. (LSE 1)

The lack of medical personnel from the DBE presents major obstacles and greatly contributes to delays in the medical screening or diagnosis of children seeking admission to special schools. The departments must convene to strategise and develop a viable solution to this issue. BDE officials state that if the above-mentioned medical personnel were consistently available or employed by the DBE, assistance for children would be expedited. Human resources were highlighted as crucial for inclusion in the DSD Policy on Disability (DSD, 2008).

Stakeholder collaborations

Collaboration of stakeholders in support of children with disabilities in ECD centres, Richter et al. (2012), complements this, revealing minimal inter-sectoral coordination in early childhood programs. When practitioners were asked about their collaboration with government departments and parents, they responded as follows:

There is no collaboration because sometimes we are the ones who discover certain conditions in children and parents fail to cooperate. (ECD Practitioner 1)

I would be lying if I said there is any, we just discover the child's condition and tell the parent. It's up to them if they send the child for proper assessment. (ECD Practitioner 2)

Some parents do not attend event parent meetings, so it's difficult because even if you tell them about the child's condition, some don't bother to discuss it further or send the child to the clinic for medical assessment. (ECD Practitioner 3)

As much as we do try as the crèche to have parent meetings just to have discussions with parents on how we can assist children with disabilities and come up with effective strategies most of the time parents do not show up (ECD Practitioner 4)

I think we are lucky because we have a Community Care Giver (CCG) who works for the Health Department. The CCG invites the Department of Health to come to our facility and assess children's conditions and development. So far, the parents have been cooperative. I would say we work well together. (ECD Practitioner 5)

Only one of the five ECD centers that participated in the research had positive relationships with the health department and parents. The remaining four centers are struggling with collaborations. This underscores that children in facilities without collaboration may be denied access to certain services, such as healthcare, and may miss opportunities for teacher-parent discussions on optimal care and good communication of the child's needs.

5.3.2.4 Training and Capacity Building

Recent training programs for Early Childhood Development Practitioners (SAIS and inclusive education policies). LSEs were asked about the training and assistance the DBE offers to ECD practitioners in Ward 3 that pertains to inclusive education and assisting children with disabilities. The responses were as follows:

We offered them inclusion and SIAS training. In inclusion, we just gave them background on how to help children with disability, types of disability, and overall care. SIAS was mainly about the completion of forms and steps to be followed. (LSE 2)

It was a 3-hour training because we did not have meals or refreshments to provide them. There are normal certain hours permitted for a meeting if there's no food. (LSE 2)

None of the chosen ECD practitioners participated in the SIAS and Inclusion training provided by the LSE from DBE. ECD Practitioner 1 participated in inclusive training provided by Tree within the last decade. The Department's training lasted three hours and addressed two policies: SIAS and White Paper 6, also referred to as Inclusive. This underscores that it was only a brief instruction, but early childhood education for children with disabilities is a critical issue that requires meticulous attention. The researcher believes more training is necessary, and the Department should guarantee representation from each ECD institution in these sessions. The training programmes should focus on effectively equipping ECD practitioners to enhance the education and care provided to children with disabilities, thereby reducing discrimination and fostering inclusivity while improving knowledge and care standards.

Inadequate monitoring and evaluation of training outcomes

Since the LSE rolled out training on SIAS forms and background on inclusive education, the progress or the implementation of the resolutions or lessons of the training has not been monitored.

We do monitor and evaluate the SBST structure, this is only applicable to schools, not ECD centres because the training for ECD was done recently and we have not done any monitoring... We will then have a meeting and plan on how and when to conduct our monitoring if they are on track and implemented. (LSE1 1)

LSE 1 recognises that although School-Based Support Teams (SBSTs) are under active monitoring in schools, there has been no evaluation for ECD centres as their training has only recently concluded. They assert that future monitoring will be essential, as training by itself does not suffice. Their present emphasis is on tackling the cases submitted for 2024. Following this, they will strategise and organise the monitoring of ECD centres to evaluate the progress of implementation.

Parents or guardians training on disabilities

The parents involved in this study have children with disabilities who are enrolled in ECD centres located in Ward 3, whereas some children remain at home and do not participate in the ECD programme. Their experiences concerning access to education, the challenges faced in securing necessary support, and their views on inclusive education were discussed. A significant number of parents demonstrated limited knowledge regarding inclusive education policies and frequently showed reluctance to acknowledge disabilities, influenced by stigma and cultural beliefs. Some parents requested training to enhance their understanding of their children's needs and to provide appropriate care. During the interviews, they provided the following information:

We as parents need to know at least the basics of how to treat these children. Even, though I am struggling at times I don't know what to do to calm him down. It is very difficult. (Parent 1)

Well, I don't know really but I feel like we need more education on this subject. (Parent 2)

As parents of children with disabilities, we need more support not judgement from the community. We also need proper training on how to care for children with different conditions. (Parent 4)

The comments made by the parents suggest that they struggle to care for their children and lack basic disability assistance skills, highlighting the need for parental training. Cultural ideas like perceiving disability as a curse or punishment cause stigma and mental anguish.

Bornman and Rose (2010) argue that stigma and discrimination play a role in hindering children with disabilities from accessing education. Bornman and Rose's assertions were supported by Nkomo, Dube, and Marucchi's (2020) findings, which reveal that children with disabilities are perceived negatively in the communities. Parental isolation is exacerbated by community judgement. Parents stressed the need for education and support to better understand and care for their children. Effective training and awareness initiatives may empower parents and minimise stigma.

5.3.2.5 Government, community, and parental involvement

Awareness campaigns

LSEs emphasised the necessity of revisiting strategies, specifically the reintroduction of campaigns, to address the issues surrounding disability and associated misconceptions.

I think we should go back to the communities and even try social media campaigns to teach the community about disabilities. Even if the chiefs arranged meetings, we can talk about such things to educate people and also work together as traditional healers, community, schools, and departments. (LSE 2)

More awareness campaigns are needed, especially on social media, because even children are there. (LSE 2)

These assertions highlight the necessity for comprehensive community awareness campaigns to combat misconceptions and stigma related to disabilities. Participating LSEs acknowledge that education must encompass not only schools but also traditional leaders, healers, and wider community frameworks. Social media serves as an effective medium for disseminating information on disabilities to both adults and children, enhancing accessibility. Collaboration among stakeholders, including families, educators, and policymakers, is essential for fostering inclusive attitudes and ensuring improved support for children with disabilities.

Cultural and customary beliefs' role in delaying assessment of specific disabilities in children (whether Physical or Mental)

When asked about conducting awareness campaigns or advocating for children with disabilities. The official stated that some parents hide behind culture or tradition to prevent their children from accessing specialised education:

...And because of the stigma some parents decide not to apply for a special school for their children and keep on saying the child needs cultural or traditional intervention because it's not disability. (LSE 2)

This may imply that there are cases in which a parent fails to apply for special schooling for their child while maintaining that the child does not have a disability, asserting instead that the child merely requires cultural practice. The parent is fully informed regarding the child's condition. The fear arises from the stigma associated with the community. This may delay the child from receiving inclusive education or specialised education, and there is more to be done to address this. DBE cannot win this fight alone; all government and private sectors should intervene.

5.3.2.6 Policy Implementation and Gaps

The Lack of full implementation of the SIAS policy

In theory, SIAS appears to be a policy capable of significantly improving the lives of disadvantaged children, particularly with their access to educational institutions that cater to their requirements.

According to DBE LSEs participants:

Teachers and practitioners are not completing forms accurately. (LSE 1)

To add even if teachers do not want to complete the form because it's a lengthy form, we also encourage them to have an observation book because the form requires completeness and accuracy. (LSE 2)

Based on the information supplied by the participants, particularly those from the Department of Education, the deficiency of this policy lies in the absence of consequences or penalties for individuals who neglect to implement it, such as teachers who fail to complete the SIAS form, which is crucial for enabling the child to receive the necessary assistance. Another major issue has been the absence of evaluation and monitoring of the enrolled training programs.

The Impact of Education White Paper 6 (Inclusive Education Policy)

If the Inclusive Education Policy is ever effectively implemented, many children with disabilities could be integrated and supported inside educational institutions. Resources could be distributed to schools to meet the requirements of enrolled learners and ensure equitable access to education (Murungi, 2015). According to the South African Schools Act of 1996, reasonable accommodations must be made for all pupils, and the Constitution of the Republic of South Africa guarantees the right to access basic education for everyone. South African

jurisprudence has made notable advancements in safeguarding the legal rights of children with intellectual disabilities, especially in the realm of education. The case of *Western Cape Forum for Intellectual Disability v the Government of the Republic of South Africa (2011)* underscored the obligation of the state to ensure educational access for children with severe and profound intellectual disabilities. The ruling affirmed the right to education for all children, irrespective of disabilities, and emphasised the necessity for reasonable accommodations. It mandated the government to ensure access to education for every child (*Western Cape Forum for Intellectual Disability v Government of the Republic of SA and Another, 2011*), aligning with Article 7 UNCRPD. The Constitution further emphasises equality and forbids discrimination, asserting that children with disabilities are entitled to the same rights and protections as their non-disabled peers (Binford, 2015). Policy improvements are essential to address the deficiencies of special schools and skill centres, and push for practical access to ECE for all children.

5.4 Summary of the Chapter

This chapter examined the research findings on access and implementation of inclusive education in Early Childhood Development settings in Ward 3, of Nquthu area. The study explored the experiences and perceptions of parents of children with disabilities, early childhood development practitioners, and Department of Education officials, emphasizing critical issues like access to ECE for children with disabilities in the area, knowledge of inclusive education, implementation problems, support networks, training, community engagement, and policy deficiencies. To interpret the raw data, the researcher utilized relevant current literature, local legislation, and international law. The results highlight the necessity for enhanced awareness initiatives, allocation of resources and training for ECD practitioners, improved policy implementation, and intensified community involvement to facilitate access to inclusive education for children with disabilities and minimise the stigma. The perspectives of LSEs, ECD practitioners, and parents of children with disabilities reveal a shared agreement that the right to access ECD for children with disabilities in Ward 3 of the Nquthu area remains unfulfilled. This is caused by several obstacles disclosed by the participants throughout the interviews. The identified challenges align with the themes presented and highlight the insufficient access to early childhood education for children with disabilities in the region; however, the primary obstacles persist, including inadequate

resources, substandard infrastructure, a deficiency of specialised expertise in inclusive education, policy deficiencies, and enduring stigma, all of which significantly hinder access. These characteristics collectively hinder the effective integration of children with disabilities in ECD centres in Ward 3, Nquthu.

CHAPTER SIX: CONCLUSIONS AND RECOMMENDATIONS

6.1 Introduction

This chapter presents the study's findings regarding the right of children with disabilities in Ward 3 of Nquthu to access early childhood education. This study aimed to evaluate the effectiveness of the KwaZulu-Natal Department of Education in delivering inclusive education. The study assessed the current status of early childhood education for children with disabilities by analysing the perspectives and experiences of parents, ECD practitioners, and DBE LSEs. The study proposed recommendations for enhancing the realisation of this right. The chapter begins with a summary of key findings, followed by an evaluation of the study's objectives, the significance of the findings for policy and practice, and recommendations for various stakeholders. The conclusion made includes recommendations for future research.

6.2 Summary of findings from literature and legislation

The literature emphasizes that ECE is an essential phase for child development, especially for children with disabilities in rural areas. Research consistently demonstrates that access to high quality ECE enhances physical, cognitive, and social outcomes; yet, rural children with disabilities encounter considerable obstacles, including inadequate resources, adverse societal perceptions, inaccessible infrastructure, and inadequately prepared ECD practitioners. Notwithstanding South Africa's progressive legislation regarding inclusive education, a significant disparity persists between policy and implementation, resulting in the continued exclusion of numerous children with disabilities from ECD programme. The literature highlights a deficiency in research concentrated on rural contexts, emphasising the necessity for more studies to tackle the distinct issues encountered by these children in these areas.

Legislatively, South Africa exhibits a robust dedication to inclusive education via its Constitution, the South African Schools Act, and policy frameworks including SIAS and White Paper 6. These instruments require fair access to education for all children, including those with disabilities, and compel the government to eliminate impediments to participation. International treaties, particularly the UN Convention on the Rights of Persons with Disabilities, bolster these obligations. Judicial rulings, exemplified by Western Cape Forum

for *Intellectual Disability v Government of the Republic of South Africa and Another* (2011), have elucidated and reinforced the obligations of the state. Nonetheless, enduring implementation issues and deficiencies in ECD policies underscore the continual necessity for strong enforcement and focused interventions, particularly in rural areas.

This study established that access to ECE for children with disabilities in Ward 3 of the Nquthu area is limited, which is more similar to the general consensus on literature. Some parents prefer to remain at home with their children rather than sending them to ECD centres. Children with disabilities attending ECD do not completely benefit or are only passive participants due to many of the following challenges.

6.3 Challenges in implementing inclusive early childhood education

6.3.1. Insufficient training of early childhood development practitioners

This has been identified as the primary obstacle preventing children with disabilities from fully benefiting from early childhood development programmes (Parliament of the Republic of South Africa, 2024). Data revealed that one of the parents declined to enrol her child due to the lack of trained staff at the facility to care for and educate children with disabilities. This parent expressed concerns that her child would be subjected to experimentation, leading her to choose to keep her child at home. The issue of poor infrastructure and resources was also addressed in the portfolio committee on November 15, 2024. The minister responded that they had requested funds from the treasury and assured that the matter would be attended to (DBE Portfolio Committee on Basic Education, 2024). Data collected indicates that stigma has emerged as a barrier to the implementation of inclusive education. Engelbrecht, (2020). Educators frequently perceive themselves as inadequately equipped to execute inclusive practices owing to a lack of educational and professional growth opportunities.

Poor communication led to the majority of Early Childhood Development practitioners (participants) failure to participate in the brief SIAS and Inclusive Education training sessions conducted by Department of Education officials tasked with implementing and overseeing inclusive education in the Umzinyathi District, which comprises five local municipalities: Nquthu, Mvoti, Ndumeni, Msinga, and Greytown. The training lasted around three hours due to the absence of refreshments. Follow-ups, monitoring, and evaluations about the

implementation of the training resolutions have not yet been conducted. This dilemma necessitates the Department of Basic Education to enhance its planning for training and monitoring, and to allocate funds for inclusive education training, as this is a key issue predominantly affecting rural populations. Consequently, the Department of Basic Education must assume responsibility for this process, as the Department formulated these policies. The researcher believes that full and effective implementation of inclusive education is in the hands of DoE. Research findings indicated that both these policies are excellent on paper however lack execution.

6.3.2 Stigma attached to child disability

Certain parents have been reported to be rejecting the acknowledgment of their child's disability due to the stereotypes and misconceptions surrounding special schools. One common misconception is that special schools cater exclusively to children with mental illnesses. Consequently, certain parents hesitate to enrol their children in specialised institutions. Additionally, stigma within communities further deters parents from pursuing support. Such impediments to inclusive education should be tackled from the roots, all hands should be on deck to ensure that stigma is removed.

6.3.3 Inadequate Screening

Officials from the Department of Education indicated that the implementation of SIAS and Inclusive Education policies is inadequate. For instance, teachers often neglect to complete the SIAS forms, which are essential for enabling children to receive the necessary support for optimal functioning in school or for referral to specialised institutions that cater to their specific needs. Nevertheless, the screening on the ECD side is insufficient due to a deficiency of qualified staff for the early detection of disabilities, relying mostly on observation and experience. This is concerning as several ECD practitioners have indicated that some children have been identified late, resulting in a likelihood that these children may lack the necessary assistance to attend the appropriate educational institutions for their requirements. Engelbrecht, Nel, Smit, and Van Deventer (2015) assert that insufficient screening can result in delays and inappropriate placements of students in acceptable assistance programs, thus elevating the dropout rate among children with disabilities. Consequently, the DBE must

regard this issue with utmost seriousness, since the future of children with disabilities is at stake.

6.3.4 Insufficient knowledge of inclusive education policies

According to Engelbrecht, Nel, Smit, and Van Deventer, (2015), educators frequently possess an insufficient understanding of inclusive education policies, including White Paper 6 and full-service school regulations, which may obstruct their effective application in classrooms. In this study LSEs exhibited extensive knowledge of policies and legislation underpinning inclusive education, including the SIAS policy, Inclusive Education policy, and the South African Schools Act; conversely, the knowledge level among parents and ECD practitioners was average, with some demonstrating inadequate understanding. One practitioner indicated that they are not bound by any policy in the care and education of children with disabilities, asserting that all children are treated similarly, including the shared resources and infrastructure. This is a significant issue, as such laws and legislation are established to provide appropriate accommodations and ensure that children with disabilities receive the care and education they need. This necessitates comprehensive training for ECD practitioners concerning these policies. If these difficulties are not adequately addressed, numerous children with disabilities will continue to be marginalised.

6.3.5 Poor community and parental involvement

Increased engagement from parents and communities is essential for supporting inclusive education programmes (Engelbrecht, 2020). The data collected showed that parents and communities do not participate in inclusive education, particularly for children with disabilities. As a result, there are numerous misunderstandings, cultural beliefs, and stigmas surrounding children with disabilities. Data gathered from this study suggest that stigma and cultural prejudices make parents hesitant to embrace their children's condition or to ask for specialised schooling for the child. This also speaks volumes about the absence of awareness campaigns that are necessary for parents and communities, which may reduce the stigma, facilitate greater inclusion and participation in ECE for children with disabilities, as stated by LSE participants.

6.3.6 Gaps in policy implementation

Notwithstanding well-intentioned legislation, the execution of inclusive education remains insufficient (Engelbrecht, Nel, Smit & Van Deventer, 2015). The Inclusive Education Policy (white paper 6) was introduced in 2001, and the SIAS policy was introduced in 2014. Nevertheless, the findings of this study reveal persistent inconsistencies in implementing these policies. For instance, LSEs from the DBE indicated that educators fail to complete SIAS forms. These forms are essential for any child to receive attention from these officials, thus necessitating precision and thoroughness in their completion. This has been recognised as a significant factor hindering the effective implementation of inclusive education, affecting not only early childhood development centers but primary and secondary schools as well. Furthermore, such factors risk the full implementation of inclusive learning in a manner that some learners end up not receiving the necessary support and resources from LSEs.

6.4 Evaluation of Research Objectives

The following are the study's objectives and a brief explanation of how each objective was met. The first research objective explores the extent to which children with disabilities in Ward 3 of Nquthu area have accessed their right to early childhood education and also identify the role to be played by the KwaZulu-Natal Department of Basic Education in ensuring that the right to education for the above-mentioned children is realised. The study found that access to early childhood education for children with disabilities is limited. Some parents who participated in the study chose to remain at home with their children due to a lack of resources, untrained ECD practitioners in inclusive education, the prevailing stigma, and infrastructure challenges related to children with disabilities. These findings were consistent with Mpu & Adu (2021) findings, identifying overcrowding, insufficient knowledge, and a shortage of qualified educators as the primary obstacles. The LSEs from DBE acknowledged that there is still a long way to go to achieve this; however, to achieve this right, the responsibilities do not only lie with them; the parents and communities should take part.

The second research objective was to assess the current provision of ECE for children with disabilities and challenges experienced by key informants and children with disabilities. The

study established found from the ECD centres, parents, and DBE officials it was clear that there is no support available for children with disabilities to access early childhood education. In 2024, several ECD centres did not get subsidies for three consecutive months (Deenik, 2024). The Minister of Basic Education and Director General acknowledged this in November citing that the province (KZN) had several financial challenges (DBE Portfolio Committee on Basic Education, 2024). Besides the SIAS and Inclusive education training offered by DBE officials to ECD practitioners within Umzinyathi district in August/September 2024, there is nothing that has been currently provided to assist these children. It seems like parents are on their own.

The third research objective was to explore the perspective of the parents, teachers, and government officials concerning the implementation of legal rights for children with disabilities in early childhood education. In this research study, parents expressed their frustrations that ECD centres are not fully equipped to care for and educate children with disabilities and there is a lack of awareness about disability and stigma, which prevents their children from accessing early childhood education. ECD practitioners who formed part of the study indicated that they have not attended inclusive education training yet, and everything they do with children with disabilities is what they believe is in line with inclusive practice. ECD practitioners further acknowledged the lack of institutional support and poor collaboration with parents and government departments. DBE LSEs who participated in the study acknowledged that stigma, inconsistency in the application of both SIAS and Inclusive education policies, inadequate resources including (human resources), and lack of awareness campaigns could be the main impediments to the implementation and realisation of the right to access early childhood education for children with disabilities in Ward 3, Nquthu.

The fourth research objective was to propose recommendations that might improve the realisation of this legal right to early childhood education for children with disabilities in the specified area. The study recommendations are informed by the research findings. These recommendations address what needs to be done by the government in ECD centres, and at the community level for children with disabilities to get access to early childhood education.

6.5 Significance of Findings

6.5.1 Policy and Protocols

The analysis highlights the pressing need to improve the execution of the SIAS policy and Education White Paper 6, both of which are fundamental to inclusive education in South Africa. Practical obstacles, including financial constraints, inadequate infrastructure, and a shortage of qualified ECD practitioners and teachers, are intensified by underlying systemic issues highlighted in recent studies. Matjokana and Bipath (2024) emphasise that policy execution is frequently obstructed by disjointed responsibilities, inadequate interdepartmental cooperation, and an absence of standardized training across national, provincial, and district level. ECD stakeholders, comprising DBE, DSD, and DoH officials, sometimes function in isolation, resulting in role ambiguity and insufficient support for practitioners. The results indicate a necessity for more than enhanced resources; there must be systemic resolution through explicit delineation of responsibilities, strong communication lines, uniform training on inclusive policies, and efficient monitoring methods. Enhancing the ecosystem of ECD policy execution via ongoing conversation, cohesive service delivery, and participatory governance is essential for attaining equal access for children with disabilities.

A policy revision is necessary to ensure the complete integration of ECD centres into inclusive education frameworks. It should clearly outline the provisions and support needed for these facilities to effectively fulfil their responsibilities in teaching and caring for children with disabilities. Additionally, it is essential to guarantee that children with disabilities are active participants in ECD centres, with their attendance contributing meaningfully to their development.

6.5.2 Practice

The study highlights that for the effective implementation of the right to access early childhood education for children with disabilities, it is essential for practitioners in early childhood development to receive comprehensive training in inclusive education and engage in continuous professional development. ECD centres ought to establish robust working relationships with parents and relevant government departments, including the Department

of Social Development and the Department of Health. The Department of Education can facilitate these collaborations. Achieving inclusive education requires more than just the efforts of the Department of Education; it necessitates collaboration and partnership among various stakeholders. The engagement of social media campaigns aimed at raising awareness about disability and inclusive education, along with the participation of traditional leadership, is perceived as a strategy to confront the stigma associated with disability.

6.6 Recommendations

6.6.1 Recommendations to the Government

The government should allocate funds for building or upgrading at least one ECD centre per Ward to be inclusive and accommodative to all kinds of disabilities. Although there are health professionals in the Department of Health, the government should consider hiring specialists for DoE districts, professionals such as psychologists, occupational therapists, audiologists, and physiotherapists, to make the process easy for those children who might need specialised institutions. Furthermore, both departments need to adopt a comprehensive approach to address this issue moving forward; for example, they can exempt children referred by DBE inclusive officials from queuing or designate specific specialists to help these children.

There is a need for strengthen policy implementation through regular monitoring and evaluation of inclusive education programmes especial in the rural areas. The government should make it mandatory for teachers and ECD practitioners to comply with all-inclusive policies in place.

The government should use departments that deal with children for example the Department of Education, Department of Health and Department of Social Development officials to do awareness campaigns targeting parents and communities as means of combating the stigma associated with disability, challenging social and cultural beliefs and misconceptions, and encourage parents and communities to intervene as early as possible if there is a child with disability who may need specialized care and education.

It is imperative for the government to enhance the accessibility of skill development centers for children who attain adulthood without formal education. White Paper 6 endorses the role of special schools; however, this stance must align with the standards established by the

United Nations Convention on the Rights of Persons with Disabilities (CRPD), specifically Article 24, which mandates that States implement inclusive education systems across all levels. General Comment No. 4 (2016) from the CRPD Committee asserts that inclusive education should not be viewed solely as the integration of learners with disabilities into mainstream classes; rather, it necessitates a comprehensive change of the educational system to deliver personalised support. The CRPD Committee has criticized South Africa's ongoing dependence on special schools for hindering inclusion and perpetuating segregation.

6.6.2 Recommendations for the ECD programmes

ECD practitioners should be thoroughly trained in SIAS and inclusive Education policies. Training should be ongoing to ensure that ECD practitioners are up to date with the new developments in the field of ECD. DBE should collaborate with appropriate service providers such as Tree Academy which was said to be offering 5 days of inclusive education training and award certificates after training. TREE is an organisation focusing on ECD resources and training. They train ECD practitioners in NQF 4 and other courses including inclusive education (TREE, 2024)

To enable prompt interventions for children with disabilities, the Department of Basic Education (DBE) must improve the precision and efficacy of ECD practitioners in filling out SIAS forms and establish a comprehensive monitoring and support system to assess the practical application of the SIAS process. This encompasses systematic evaluations of finalized forms, feedback systems for practitioners, and focused assistance to guarantee the efficient implementation of early detection and intervention across ECD locations.

ECD centres should establish professional relationships with government departments, parents, communities, nongovernmental organisations, community organisations, and traditional leaders to promote inclusivity and challenge stigma.

ECD centres should be provided with adequate resources and infrastructure to improve accessibility and accommodate children with disabilities.

6.6.3 Recommendations for the Community

Parents of children with disabilities should not be judged; instead, they should be encouraged to seek professional assessments and early intervention for children with disabilities. Community members should participate in awareness campaigns and community dialogues regarding disability and inclusive education, as this may help eliminate the stigma associated with disability. Furthermore, community leaders and parents of children with disabilities should collaborate with ECD centres to identify and support these children, while also fostering a safe environment both in the community and within the ECD centres.

6.7 Recommendations for Future Research

Further research is necessary to examine the long-term effects of inclusive education policies on children with disabilities in rural areas, as this aspect was not extensively addressed in the current study. Future research should investigate the effectiveness of training programmes for early childhood development practitioners in implementing inclusive education, given that most practitioners involved in the study did not receive any form of inclusive training. It is recommended that a similar study be conducted across districts or the KZN province, as the current study was limited to Ward 3 of the Nquthu area, considering the promises and commitment made by the DBE in the portfolio committee in November 2024, this would enhance advocacy efforts for children with disabilities in accessing early childhood education (DBE Portfolio Committee on Basic Education, 2024).

6.8 Conclusion

The study included twelve participants: five parents of children with disabilities, five early childhood development practitioners, and two Learner Support Educators from the Department of Basic Education. This study indicates that access to early childhood education for children with disabilities in Ward 3 of the Nquthu area is limited. The primary barriers preventing these children from accessing their right to education include insufficient resources, untrained ECD practitioners regarding inclusive policies, inadequately structured ECD centres for children with disabilities, poor infrastructure, and societal stigma.

Despite the DBE implementing three hours of inclusive education training and SIAS training in August and September 2024, participants, specifically ECD practitioners, did not attend. The duration of the training was inadequate for this critical subject. The Department of Basic Education, as custodians of inclusive policies, must ensure that adequate inclusive training is provided to at least one practitioner per ECD centres, thereby facilitating adherence to inclusive practices.

The findings indicate that significant efforts are required to ensure access to early childhood education for children with disabilities. This includes comprehensive awareness campaigns to address misconceptions and stigma associated with disability, as well as collaborative initiatives involving parents, early childhood development practitioners, local government departments, communities, and traditional leaders to advocate for the rights of children with disabilities and to provide education on disability issues. The responsibility for advocating children's disability rights extends beyond the Department of Basic Education; it necessitates collaboration among the public sector, private sector, and the broader community.

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APPENDIX A; UKZN Ethical Clearance



22 August 2025

Siphamandla Thiwe Mthombeni (210523683)
School of Law
Howard College Campus

Dear ST Mthombeni,

Protocol reference number: HSSREC/00007749/2024

Project title: The right to early childhood education for children with disabilities: An evaluation of the KwaZulu-Natal Department of Education's progress in ward 3 of Nquthu area.

Amended title: Exploring the views of parents, early childhood development practitioners, and learner support educators on access and realisation of the right to early childhood education for children with disabilities in ward 3, Nquthu, KwaZulu-Natal.

Degree: Masters

Approval Notification – Amendment Application

This letter serves to notify you that your application and request for an amendment received on 22 August 2025 has now been approved as follows:

- Change in title

Any alterations to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form; Title of the Project, Location of the Study must be reviewed and approved through an amendment /modification prior to its implementation. In case you have further queries, please quote the above reference number.

PLEASE NOTE: Research data should be securely stored in the discipline/department for a period of 5 years.

HSSREC is registered with the South African National Health Research Ethics Council (REC-040414-040).

Best wishes for the successful completion of your research protocol.

Yours faithfully



Doctor Shamila Naidoo (Interim Chair)

/dd

Humanities & Social Sciences Research Ethics Committee
UKZN Research Ethics Office Westville Campus, Govan Mbeki Building
Postal Address: Private Bag X54001, Durban 4000
Tel: +27 31 260 8350 / 4557 / 3587
Website: <http://research.ukzn.ac.za/Research-Ethics/>

Founding Campuses:  Edgewood  Howard College  Medical School  Pietermaritzburg  Westville

INSPIRING GREATNESS

Appendix B: DoE Permission Letter

Private Bag X 9137, PIETERMARITZBURG, 3200

Anton Lembede Building, 247 Burger Street, Pietermaritzburg, 3201

Enquiries: Ms Phindile Duma

Email: phindile.duma@kzndoe.gov.za

Ref: 2/4/8/307

Tel: 033 392 1063

Mr Siphamandla Thiwe Mthombeni

Private Bag X5512

NQUTHU

3135

Dear Mr Mthombeni

PERMISSION TO CONDUCT RESEARCH IN THE KZN DOE INSTITUTIONS

Your application to conduct research entitled: **"THE LEGAL RIGHT OF CHILDREN WITH DISABILITIES TO EARLY CHILDHOOD EDUCATION: WHAT PROGRESS IS BEING MADE BY KWAZULU-NATAL DEPARTMENT OF EDUCATION IN REALIZING THIS RIGHT IN WARD 3 OF NQUTHU AREA (NORTHERN KWAZULU-NATAL?)"**, in the KwaZulu-Natal Department of Education Institutions has been approved. The conditions of the approval are as follows:

1. The researcher will make all the arrangements concerning the research and interviews.
2. The researcher must ensure that Educator and learning programmes are not interrupted.
3. Interviews are not conducted during the time of writing examinations in schools.
4. Learners, Educators, Schools and Institutions are not identifiable in any way from the results of the research.
5. A copy of this letter is submitted to District Managers, Principals and Heads of Institutions where the Intended research and interviews are to be conducted.
6. The period of investigation is limited to the period from 11 September 2024 to 31 March 2027.
7. Your research and interviews will be limited to the schools you have proposed and approved by the Head of Department. Please note that Principals, Educators, Departmental Officials and Learners are under no obligation to participate or assist you in your investigation.
8. Should you wish to extend the period of your survey at the school(s), please contact Miss Phindile Duma at the contact numbers above.
9. Upon completion of the research, a brief summary of the findings, recommendations or a full report/dissertation/thesis must be submitted to the research office of the Department. Please address it to The Office of the HOD, Private Bag X9137, Pietermaritzburg, 3200.
10. Please note that your research and interviews will be limited to schools and institutions in KwaZulu-Natal Department of Education.

UMZINYATHI DISTRICT

Mr GN Ngcobo

Head of Department: Education

Date: 11 September 2024

GROWING KWAZULU-NATAL TOGETHER

Appendix C: ECD centres' permission letters

Dear Mr Siphamandla Mthombeni

Private Bax 5512

Nquthu

3135

Re: Permission to conduct your study in our facility

1. Thank you for reaching out about your research on the rights of children with disabilities to Early Childhood Education in our area. We are pleased to assist you in this important journey.
2. The permission to conduct interviews with our staff has been granted.
3. Please let us know when you would like to conduct the interviews with our staff. We are available from 8h00 to 14h00, so feel free to provide a few options that work best for you.
4. We look forward to learning about your findings upon completion of the research. Inclusive education is a priority for us at Fahlaza Creche, and we are always seeking ways to enhance our practices to serve all children better.

Best regards,

[Redacted Signature]

Mrs Shezi

Principal

Fahlaza Creche

[Redacted Address]

FALHAZA CRECHE
P.O. BOX 512 NQUTHU 3135
DATE: 05/09/2024
SIGNATURE: [Redacted Signature]

Lafezeka Creche
Nquthu area
Nquthu, 3135

Dear Mr. S.T. Mthombeni,

Subject: Permission Granted for Research

We are happy to inform you that you have been granted permission to conduct research in our centre.

We believe that your research will help a lot of teachers and parents in understanding the realities of children with disabilities, especially in ECD. That is why we decided to allow you to conduct this study.

Please give us feedback about the result of the study so we can improve our services. If you need anything or you have concerns please reach out to us.

Warm regards,
Mrs Shabalala
Principal

Date: 2024/09/19



Sifunuxolo Creche

Nquthu

3135

19/09/2024

Greetings Mr. S.T. Mthombeni,

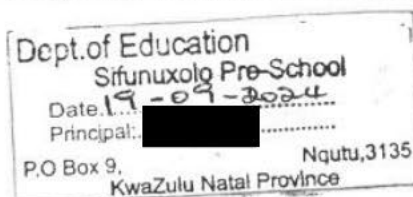
Subject: Permission to conduct research study has been granted.

We are pleased to permit you to conduct your study titled "The Legal Right of Children with Disabilities to Early Childhood Education: What Progress is Being Made by KwaZulu Natal Department of Education in Realizing this Right in Ward 3 of Nquthu Area" at our creche.

We understand that your research aims to assess the current state of early childhood education for children with disabilities and evaluate local educational policies. We appreciate your commitment to conducting this research ethically and minimally disrupting our operations.

Please feel free to reach out if you require any further information or assistance during your study.

MIS Gwibulana & MIS S.N. Ndlela



Vulinqondo Creche
Silutshane area
Nquthu
3135

Dear Mr S.T Mthombeni

Re: Authorization to Conduct Research Study

Thank you for your request to conduct your research study on our facility.

We are pleased to inform you that you have our full support and permission to proceed with your study. We believe that your research will provide valuable insights into the educational needs of children with disabilities and contribute positively to our community.

We request that you coordinate with our management to schedule your interviews at your earliest convenience. Additionally, please ensure to brief us on the findings of your research so that we improve our services.

If you have any further questions or require assistance during your research, feel free to reach out to us. We look forward to collaborating with you on this important study.

Best regards

Sibiya Hlengiwe



Principal

Vulinqondo Creche

Date: 22/10/2024

VULINQONDO CRECHE
IBHUTSHANE STORE
P.O. BOX 1060
NQUTHU 3135
CELL NO. 1
CELL NO. 1

Appendix D: Parents in-depth interview guide

Parents In-depth interview with each parent (Guide)

- A. Hello, my name is Siphamandla Mthombeni. Thank you for availing yourself and consenting to take part in this interview for my research study.
- B. The research is about: The Right to Early Childhood Education for Children with Disabilities: An Evaluation of the KwaZulu-Natal Department of Education's Progress in Ward 3 of Nguthu area.? As a parent, I would like to inquire about your experiences in caring for a child with a disability who has either been enrolled or not enrolled in Early Childhood Education (ECE).
- C. Your input is highly valued and will be respectfully utilized for its intended purpose (finishing this study as a requirement for my Master's program). I hope that the study's findings will assist the community in making positive changes in the future.
- D. This interview may require 30 to 35 minutes of your time. Do you agree to take part and stay for the aforesaid duration?

I will start by asking your name, but feel free to use any pseudonym if wish to keep your true identity a secret.

Name (Pseudonym):

Body

Interview Questions:

1. Could you provide information regarding your child and their particular disability?

2. What is your understanding of the legal rights of children with disabilities regarding Early Childhood Education?

3. What is the gender of your child? E.g Male or Female

4. How have you accessed Early Childhood Education services for your child?

5. Did you experience any challenges when enrolling your child in Early Childhood Development Centre? If your answer is yes, please discuss those challenges.

6. In your opinion, how well are the rights of children with disabilities perceived in your community based on your own experiences?

7. In your opinion, how well do ECD practitioners assist children with disabilities in their educational development?

8. What is the best way to convey your child's needs to early childhood development practitioners?

9. What other assistance do you believe parents of children with disabilities require?

10. Are there challenges experienced by your child in the Early Childhood Development Centre? If your answer is yes, discuss them.

11. What is your view concerning access to Early Childhood Education for children with disabilities in your area?

12. Are there any specific policies or programs that you feel have helped your child?

13. What interventions can you mention and desire to see that would help all children with disabilities access early childhood education in this area?

14. What improvements would you like to see in the Early Childhood Education system for children with disabilities?

15. Do you have any suggestions for how the Department of Education can better support families like yours?

Closing

Do you have any additional thoughts on the topic we've been discussing during this interview?

Is there anything specific you want to know about my research or myself that you would like to inquire about?

Maintaining Rapport:

Thank you for taking the time to join this interview and for staying engaged until the end. I appreciate your information and it is essential for me to successfully finish my research.

Closing

Do you have any additional thoughts on the topic we've been discussing during this interview?

Is there anything specific you want to know about my research or myself that you would like to inquire about?

Maintaining Rapport:

Thank you for taking the time to join this interview and for staying engaged until the end. I appreciate your information and it is essential for me to successfully finish my research.

Appendix E: ECD Indepth interview Guide

ECD Practitioners In-depth Interview Questions

- A. Hello, my name is Siphamandla Mthombeni. Thank you for availing yourself and consenting to take part in this interview for my research study.
- B. The research is about The legal right of children with disabilities to Early Childhood Education: What progress is being made by KwaZulu Natal Department of Education in realizing this right in Ward 3 of Nquthu area (Nothorn Kwa-Zulu Natal)? . As a parent, I would like to inquire about your experiences in caring for a child with a disability who has either been enrolled or not enrolled in Early Childhood Education (ECE).
- C. Your input is highly valued and will be respectfully utilized for its intended purpose (finishing this study as a requirement for my Master's program). I hope that the study's findings will assist the community in making positive changes in the future.
- D. This interview may require 30 minutes of your time. Do you agree to take part and stay for the aforesaid duration?

I will start by asking your name, but feel free to use any pseudonym if wish to keep your true identity a secret.

Name (Pseudonym):

Body

Interview Questions:

1. How long have you been working as an ECD Practitioner?

2. In your experience, did you ever enroll children with disabilities in your facility? If yes, how often does that happen?

3. How do you understand the legal rights of children with disabilities for Early Childhood Education?

4. Do you have policies or frameworks you follow when helping children with disabilities?

5. What procedures do you use to quickly identify and assess children with disabilities? And what tool do you use to perform these tasks?

6. Are you able to apply inclusive practices in place for children with disabilities? If the answer is no, what are the major challenges to implementing inclusive education in your ECD facility?

7. Have you attended any specific training on inclusive education?

Do you believe there are particular resources or training that are missing to provide better support for these children?

8. What strategies do you use to collaborate with parents and other professionals to support children with disabilities?

9. How do you stay informed about the latest ECD policies and best practices?

10. Is there any assistance or resources your child received from the Department of Education in terms of accessing Early Childhood Education?

11. What is your view concerning access to Early Childhood Education for children with disabilities in your area?

12. Since the Department of Education took over the Early Childhood Development Programme, do you see a positive change in terms of access to ECE for children with disabilities?

13. What role can be played by the Department of Education to improve access to Early Childhood Education for children with disabilities in this area?

14. What interventions can you mention and desire to see that would help all children with disabilities access early childhood education in this area?

Closing

Do you have any additional thoughts on the topic we've been discussing during this interview?

Is there anything specific you want to know about my research or myself that you would like to inquire about?

Maintaining Rapport:

Thank you for taking the time to join this interview and for staying engaged until the end. I appreciate your information and it is essential for me to successfully finish my research.

Appendix F: DBE officials (LSEs) In-depth Interview Guide

In-depth interviews for the DBE LSEs responsible for early childhood education in Ward 3 of Nquthu area

ECD Practitioners In-depth Interview Questions

- A. Hello, my name is Siphamandla Mthombeni. Thank you for availing yourself and consenting to take part in this interview for my research study.
- B. The research is about The legal right of children with disabilities to Early Childhood Education: What progress is being made by the KwaZulu Natal Department of Education in realizing this right in Ward 3 of Nquthu area (Nothorn Kwa-Zulu Natal)? . As an official from the Department of Basic Education, I would like to inquire about your insights and experiences in supporting children with disabilities to realise their right to access education, especially ECE.
- C. Your input is highly valued and will be respectfully utilized for its intended purpose (finishing this study as a requirement for my Master's qualification). I hope that the study's findings will assist the community in making positive changes in the future.
- D. This interview may require 30 minutes of your time. Do you agree to take part and stay for the said duration?

I will start by asking your name, but feel free to use any pseudonym if wish to keep your true identity a secret.

Name (Pseudonym):

Body

Interview Questions:

- 1. How has been working with ECD centres, and how long have you been working on this programme?

- 2. How do you understand the legal rights of children with disabilities concerning Early Childhood Education?

- 3. In your opinion, how are these rights communicated to practitioners, parents, and the community?

4. Which policies or frameworks shape how your department assists children with disabilities in Early Childhood Education? How do these policies impact the department's actions and decision-making?

5. How is the early identification and assessment of children with disabilities handled in Ward 3? What is the frequency of assessments and which tools are utilized to assist in this procedure?

6. What kinds of assistance does your department offer to children with disabilities in early childhood education programmes in Ward 3?

7. How does your department ensure that ECD practitioners are prepared to meet the diverse learning needs, especially for children with disabilities?

8. How does your department work together with ECD practitioners, parents, and other professionals to help children with disabilities?

9. What measures or projects has your department put in place to increase awareness and support inclusive practices in Ward 3 community?

10. What obstacles is your department encountering when trying to implement inclusive early childhood education for children with disabilities in Ward 3?

11. Do you think there are particular resources or training that are missing to provide better support for these children and their families?

12. What methods does your department use to track and assess the advancement in providing Early Childhood Education rights for children with disabilities in Ward 3? and what systems exist to recognize and fix gaps or areas needing improvement?

13. What kind of training and assistance does your department offer to ECD practitioners in Ward 3 that pertains to inclusive education and assisting children with disabilities?

14. How far is your department in terms of fully realizing the right to early childhood education for children with disabilities in Ward 3 of Nquthu area? What additional support does the department require to fulfill this right?

Closing

Do you have any additional thoughts on the topic we've been discussing during this interview?

Is there anything specific you want to know about my research or myself that you would like to inquire about?

Maintaining Rapport:

Thank you for taking the time to join this interview and for staying engaged until the end.

I appreciate your information and it is essential for me to successfully finish my research.

APPENDIX G: INFORMED CONSENT FORM IN ENGLISH

Informed Consent Document

Dear Participant,

My name is Siphamandla Mthombeni, student number 210523683. I am a Masters candidate studying at the University of KwaZulu-Natal, Howard College. The title of my research is: The Legal Right of Children with Disabilities to Early Childhood Education: What progress is being made by KwaZulu Natal Department of Education in realizing this right in Ward 3 of Nquthu area (Nothern Kwa-Zulu Natal)?. The study aims to explore the extent to which children with disabilities in Ward 3 of Nquthu area have accessed their right to early childhood education and to also identify the role to be played by the Kwazulu Natal Department of Education and stakeholders in ensuring that the right to education for the above-mentioned children is realised. I would like to interview you in order to discuss your insights and experiences related to the topic.

Please note that:

- The information that you provide will be used for scholarly research only.
- Your participation is entirely voluntary. You have a choice to participate, not to participate, or stop participating in the research. You will not be penalized for taking such an action.
- Your views in this interview will be presented anonymously. Neither your name nor identity will be disclosed in any form in the study.
- The interview will take about 30 to 45 minutes.
- The file containing the record and interview-related items will be kept in a password-protected folder that only I and my supervisor can access. After 5 years, following the university's regulations, it will be disposed of through shredding and burning.
- If you agree to participate, please sign the declaration attached to this statement (a separate sheet will be provided for signatures)

I can be contacted at the Department of Social Development (Nquthu Service Office), Nquthu. Email: 210523683@stu.ukzn.ac.za., Tel: 0342711921, Cell: [REDACTED]
My supervisor is Professor Brigitte Clark and is located at the School of Law, Pietermaritzburg Campus. Contact details: 033 260 5032. Email: clarkb@ukzn.ac.za

HUMANITIES & SOCIAL SCIENCES RESEARCH ETHICS ADMINISTRATION
Research Office, Westville Campus, Govan Mbeki Building 97, Private Bag X 54001
Durban, 4000, KwaZulu-Natal, SOUTH AFRICA Tel: 031 260 3587
Email: HSSREC@ukzn.ac.za

Thank you for taking the time to consider participating in the study.

Yours sincerely,

.....
Siphamandla Mthombeni

DECLARATION

I..... (full names of participant) hereby confirm that I understand the contents of this document and the nature of the research project, and I consent to participating in the research project.

I understand that my responses will be kept confidential. I understand that I am at liberty to withdraw from the project at any time, should I so desire without any negative consequences. If I have any queries or concerns about the research project, I can reach out to the Supervisor or Human Social Sciences Research Ethics Administration using the contact information provided. I understand the intention of the research. I hereby agree to participate.

I consent ☐ / do not consent ☐ to have this interview recorded (if applicable)

SIGNATURE OF PARTICIPANT

DATE

.....

.....

APPENDIX H: TRANSLATED INFORMED CONSENT FORM (IISIZULU)

Ikhasi Lemininingwane Kanye Nemvume Yokubamba Iqhaza Kucwaningo
Sawubona,

Igama lami u Siphamandla Mthombeni, inombolo yomfundi: 210523683. Ngenza iziqu ze-Masters eNyuvesi yaKwaZulu-Natali, Howard College. Isihloko socwaningo lwami simayelana nokubheka ilungelo lezingane ezincane ezinokukhubazela nokuthola imfundo yasenkulisa; ucwaningo luphinde lubheke indima endlalwa noma edlalwe uMnyango wezemfundo KwaZulu-Natali ekuqinikeseni ukuthi leyilungela liyafezeka. Inhloso yalolucwaningo ukuthola ukuthi abantwana abanokukhubazeka bayalisebenzisa yini lelilungelo nokuthi uMnyango wezeMfundo ubalekelela kangani ekutheni bafunde njengoba kuyilungelo labo. Ucwaningo luzozobheka nokuthi iziphi ezinye izinhlaka ezibambe noma ezingabamba iqhaza ekuthuthukiseni lelilungelo lezingane ezinokukhubazeka. Ngingakuthokozela ukuthi sixoxe khona ngizothola umbono nesipiliyoni sakhe mayelana nalesihloko.

Ngicela wazi ukuthi:

- Ulwazi ozonginika lona luzosetshenziselwa ucwaningo kuphela.
- Ukubamba kwakho iqhaza kulengxoxo akuphoqiwe uzoba yingxenywe ngoba uthanda, futhi ungahoxisa ukubamba iqhaza noma nini akukho senzo noma sijeziso ozosthola ngalokho.
- Igama lakho nezimvo zakho kuzogodlwa ngeke kuvele ukuthi uwena obunikeza ngolwazi.
- Ingxoxo yethu izothat imizuzu engamashumi amathathu kuya kwengamashumi amathathu nanhlanu.
- Ifayela elizogcina izingxoxo ezilekhodiwe lizohlala endaweni ephephile futhi lizovulwa nge code thizeni ukuqinisekisa ezokuphepha, imina no mphathi wami kulolucwaninga abazokwazi ukulivula. Lizogcinwa iminyaka emihlanu ngemva kokuphuthula lolucwaningo, ngemva kwalokho lizoshishwa noma libulawe ngezinye izindlela.
- Uma ufisa noma uvuma ukuba ingxenywe yezingxoxo, ngicela usayinde ikhasi lesivumelwano elihamba lodwa ekugcineni.

Ngiyatholakala eMnyangweni Wezokuthuthukiswa koMphakathi (DSD) enquthu. Email: 210523683@stu.ukzn.ac.za., Thelephone: 0342711921, Ucingo: [REDACTED]

Umpathi (supervisor) wami kulolucwaningo u Professor Brigitte Clark uyatholaka esikoleni sezomthetho, e Pietermaritzburg Campus.utholakala kulenombolo: 033 260 5032. Email: clarkb@ukzn.ac.za

HUMANITIES & SOCIAL SCIENCES RESEARCH ETHICS ADMINISTRATION
Research Office, Westville Campus, Govan Mbeki Building 97, Private Bag X 54001
Durban, 4000, KwaZulu-Natal, SOUTH AFRICA Tel: 031 260 3587
Email: HSSREC@ukzn.ac.za

Ngiyabonga ngokuthatha isikhathi sakho ucabange ukuba yinhlenye yalolu cwaningo.

Ozithobayo,

.....

Siphamandla Mthombeni

DECLARATION

Mina..... (amagama agcwele ozoba ingxenye yocwaningo) ngiyinqinisekisa ukuthi ngiyakuqondwa okubhalwe kule documente futhi ngiyayiqonda nenhloso yocwaningo, ngiyavuma ukuba ingxenye yocwaningo.

Nginyaqonda ukuthi izimpendulo nemibono yami izogcinga iyimfihlo. Nginyaqonda futhi ukuthi ngingahoxa ukuba ingxenye yocwaningo nanoma kusiphi isigaba socwaningo futhi ngeke kubebikho sijeziso salokho.

Uma kwezeka ngiba nemibuzo noma ukungaqondi mayelana nocwaningo, nginikiwe ilungelo lokuxhumana nomphathi wocwaningo noma i Human Social Sciences Research Ethics Administration ngisebenzise izinombolo enginikezwe zona. Ngalawa mazwi ngiyavuma ukuba yingxenye yocwaningo ngoba ngiyaluqonda ukuthi lumayelana nani

Ngiyavuma ☐ / angivumi ☐ ukuthi ingxoxo yethu iqoshwe (recordwe).

Ukusayinda kozobamba iqhaza kucwaningo

Usuku

.....

.....



04 November 2024

Siphamandla Thiwe Mthombeni (210523683)

School of Law

Howard College Campus

Dear ST Mthombeni,

Protocol reference number: HSSREC/00007749/2024

Project title: The right to early childhood education for children with disabilities: An evaluation of the KwaZulu-Natal Department of Education's progress in ward 3 of Nquthu area.

Degree: Masters

Approval Notification – Expedited Application

This letter serves to notify you that your application received on 23 September 2024 in connection with the above, was reviewed by the Humanities and Social Sciences Research Ethics Committee (HSSREC) and the protocol has been granted **FULL APPROVAL**.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number.

PLEASE NOTE: Research data should be securely stored in the discipline/department for a period of 5 years.

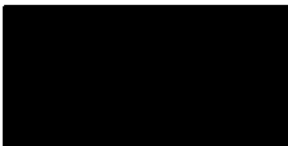
Incidents of adverse events and serious adverse events (AEs and SAEs) should be reported in writing to HSSREC, the study sponsors, and any regulatory authority (where appropriate), within 7 working days of the occurrence for local sites and 14 days for all other South African sites.

This approval is valid until 04 November 2025.

To ensure uninterrupted approval of this study beyond the approval expiry date, a progress report must be submitted to the Research Office on the appropriate form 2 - 3 months before the expiry date. A close-out report to be submitted when study is finished.

HSSREC is registered with the South African National Health Research Ethics Council (REC-040414-040).

Yours sincerely,



Professor Dipane Hlalele (Chair)
/nng

Humanities and Social Sciences Research Ethics Committee

Postal Address: Private Bag X54001, Durban, 4000, South Africa

Telephone: +27 (0)31 260 8350/4557/3587 **Email:** hssrec@ukzn.ac.za **Website:** <http://research.ukzn.ac.za/Research-Ethics>

Founding Campuses: Edgewood Howard College Medical School Pietermaritzburg Westville