

TABLE OF RECOMMENDATIONS

GENERAL COMMENTS		SUGGESTED REVISIONS/RECOMMENDATION
Vagueness of the Draft Policy		<ul style="list-style-type: none"> - That the Draft Policy be amended to provide for a clear, stand-alone framework for policy implementers to follow in order to achieve the objectives articulated in the Draft Policy, and that the proposed Implementation Plan be published for comment as a matter of urgency in order for us and other stakeholders to assess the adequacy of the Draft Policy when read with the Implementation Plan.
Reliance on the ISHP		<ul style="list-style-type: none"> - That the challenges associated with implementation of the ISHP be acknowledged and accounted for when implementing the Draft Policy.
Rights of learner fathers		<ul style="list-style-type: none"> - That the Draft Policy acknowledge the rights of learner fathers who may be required to leave school in order to support his child.
SPECIFIC PROVISIONS		
Preamble and purpose		<ul style="list-style-type: none"> - That the <i>Preamble and purpose</i> section be amended to frame the Draft Policy in terms of the centrality of the rights of learners, and to expressly include the principle of the best interests of the child being paramount.
Guiding Principles	<i>Access to comprehensive pregnancy prevention, CSE and SRHS (5.3, 5.4, 5.5)</i>	<ul style="list-style-type: none"> - That the Draft Policy clarify the position on access to CSE, SRHS and pregnancy prevention services and reconsider the inclusion of the age and grade limitations to access. - That the Draft Policy clearly define the nature and extent of the SRHS envisaged.
	<i>Access to education (5.1)</i>	<ul style="list-style-type: none"> - That the words “of school age” be removed from section 5.1 of the Draft Policy.

	<p><i>Reasonable accommodation and retention (5.9)</i></p>	<ul style="list-style-type: none"> - That the Draft Policy provide guidance on what is required for reasonable accommodation in order to ensure the retention of learners who become pregnant before completing their education during and after their pregnancies. - That the inclusion of the factors referred to in paragraph 41 of the submission be included in the Draft Policy.
	<p><i>Creating a non-discriminatory environment and ensuring gender equality (5.7)</i></p>	<ul style="list-style-type: none"> - That the Draft Policy include express minimum guidelines which school learner pregnancy policies must contain, and which prohibit the inclusion and application of potentially discriminatory provisions.
	<p><i>The protection of the rights to dignity, privacy and confidentiality (5.8)</i></p>	<ul style="list-style-type: none"> - Notwithstanding the fact that pregnancy of a learner has become visible and obvious to the public, that the Draft Policy require that the rights and privacy of the learner be prioritised, that necessary consents be obtained, consent of the parent or the guardian of the learner to be obtained, and the necessary confidentiality undertakings to be put in place when collecting the personal information of learners.
	<p><i>Facilitating critical partnerships (5.10)</i></p>	<ul style="list-style-type: none"> - That the Draft Policy clearly set out the roles and responsibilities of the various government departments and other stakeholders, as well as the timelines according to which such roles and responsibilities must be fulfilled. - Mechanisms be put in place to ensure regular and meaningful engagement between stakeholders. - That role of faith-based organisations be clarified.

Prevention	<i>Access to condoms (6.2.3)</i>	<ul style="list-style-type: none"> - That the phrase “level or inquiry of need” be clarified and the Draft Policy provide for free and discreet access to condoms in line with research and international best practices.
	<i>Information to be provided to pregnant learners (6.3.2)</i>	<ul style="list-style-type: none"> - That section 6.2.4 be revised to include all options available to pregnant learners, or by amending the Draft Policy to provide that “educators may refer pregnant learner to health clinics or school nurses for all available options.”
Care, counselling and support (6.3)		<ul style="list-style-type: none"> - That Life Orientation teachers be specifically designated to receive training to deliver CSE with ordinary teachers receiving more basic training. - That specific procedures for handling incidents of learner pregnancy be detailed in the Draft Policy. - That the Draft Policy reporting requirements be aligned with all relevant extant policies and legislation.
Impact mitigation (6.4)		<ul style="list-style-type: none"> - That the Draft Policy allow for learners to return to school as soon as possible, and that more detailed criteria be provided for determining when and how this can be achieved. - That mandatory leave of absence not be imposed should learners refuse to or be unable to provide a medical report, but that the alternatives recommended in paragraph 88 be considered.
Policy management and implementation (6.5)	<i>Composition of Sub-committee (6.5.2)</i>	<ul style="list-style-type: none"> - That the Sub-Committee rather be comprised solely of departmental members and serve as a departmental task team of sorts with the ability to take advice and recommendations from members of NGOs or other external stakeholders.

Mechanisms of accountability		<ul style="list-style-type: none">- That those whose actions impact on the implementation of the Draft Policy be held accountable for their actions, by including mechanisms to collect and process complaints, to report instances of errors or abuse, and to appeal decisions taken in terms of the Draft Policy.- That the Draft Policy also detail how these mechanisms are to be accessed to ensure due process and that the requirements of administrative justice are satisfied.