



NEW ZEALAND
FOREIGN AFFAIRS & TRADE
Manatū Aorere

New Zealand International Development Cooperation Programme

Child Protection Policy





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1. Introduction

The Ministry of Foreign Affairs and Trade (MFAT) has zero tolerance for children¹ suffering harm (whether physical, emotional or sexual and including harm to their development and well-being), ill-treatment, abuse, neglect, deprivation or sexual or labour exploitation of any kind, or being the subject of human trafficking, in connection with the New Zealand International Development Cooperation (IDC) Programme managed by MFAT. In this Policy the term “harm, abuse or exploitation” (and similar expressions) refer to all and any one or more of these things.

New Zealand is a signatory to the United Nations Convention on the Rights of the Child (UNCROC) and has responsibilities regarding children under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). MFAT is a child welfare and protection agency in New Zealand, which enables it to share information about the safety and well-being of children and young persons with other child welfare and protection agencies in certain circumstances.

This Child Protection Policy sets out expectations and requirements for MFAT staff and IDC Programme delivery partners² in connection with child protection³, and in connection with the management of child protection risks and incidents. MFAT will not knowingly engage with a delivery partner who does not meet those expectations and requirements.

This Child Protection Policy is supported by MFAT’s Preventing Sexual Exploitation Abuse and Harassment (PSEAH) Policy. Where any child is identified as a victim-survivor of actual or threatened harm, abuse or exploitation of a sexual nature this Child Protection Policy must be applied but the PSEAH Policy and other MFAT policies or codes may also be applicable.

¹ A ‘child’ is a human being below the age of 18 years.

² “delivery partners” are described in more detail in section 3.

³ See section 2 MFAT’s *Unacceptable Behaviour Policy* and *Speak Up Safely Programme* applies to MFAT staff at all times.

1. Purpose

- To reduce the likelihood of children being harmed, abused or exploited, with the aim of preventing children from being harmed, abused or exploited in the IDC Programme⁴, by requiring delivery partners to have, implement, monitor and enforce policies and procedures that -
 - Are centred on children’s rights;
 - Promote the best interests of children;
 - Advance the well-being of children and address their needs;
 - Provide for the participation of children in decision making that affects them; and
 - Are culturally and age appropriate.
- To provide information and guidance to MFAT staff who are involved in the preparation, authorisation, management, and administration of IDC Programme activities and MFAT’s expectations of delivery partners in preventing and responding to harm, abuse or exploitation of children.

2. Scope

This Child Protection Policy applies to all delivery partners in respect of the IDC Programme. Delivery partners are expected to play an active role in identifying and addressing risks to children and managing incidents of harm, abuse or exploitation that occur or arise in the course of IDC Programme activities.

MFAT delivery partners include suppliers of all kinds engaged by MFAT to deliver goods or services for the IDC Programme and recipients of grants for the delivery of outputs for that programme, other than foreign governments and entities to which New Zealand is obliged under international law to pay money as capital contributions, subscriptions and the like in respect of such payments.

A delivery partner is responsible for ensuring downstream partners implement, monitor and enforce the minimum standards outlined within this Child Protection Policy.

⁴ The desired outcome being “child protection”.

3. Action

IDC Programme activities undertaken by delivery partners in New Zealand must comply with all relevant New Zealand laws and regulations.

IDC Programme activities undertaken by delivery partners outside New Zealand must comply with relevant national and local laws and regulations. MFAT supports efforts to harmonise approaches to the standards and management of this Child Protection Policy, to maximise the use of country systems, and to avoid duplication of effort.⁵ Where there is a difference in effect between this Child Protection Policy, national or local laws and regulations and/or a delivery partner's own child protection approaches, policies and procedures the 'highest standard' should be given effect if, and whenever, possible.

A delivery partner must:

- Have, implement, monitor and enforce child protection policies and procedures which give effect to the principles set out in section 5.
- Comply with the reporting requirements specified in this Child Protection Policy and report immediately any suspected or alleged child protection incidents and;
- Always act in accordance with the child's safety, well-being and best interests as a primary consideration.

Delivery partners must ensure that their child protection approaches, policies and procedures are being followed by both their own staff as well as their downstream partners.

Delivery partners must always and in the ordinary course assess the risk of harm, abuse or exploitation occurring and take appropriate actions to mitigate all levels of risk. When combating harm, abuse or exploitation, in humanitarian, development or peace keeping settings the use of the correct terminology is important to streamline discussion and avoid confusion and ongoing harm to child victim-survivors. It is important that the language used is accurate, respectful, and used without stigma or judgement.

Where a child suffers, or is at risk of suffering abuse the delivery partner will:

- Operate its relevant approaches, policies, and procedures without delay; and • Immediately report the incident or concern to MFAT as required by this Policy.

4. Principles

In all matters relating to the administration or application of this Policy the wellbeing and best interests of the child shall be a primary consideration.

The key principles that underpin and guide child protection policy implementation are:

Principle 1: Zero tolerance for harm, abuse and exploitation of children.

The delivery partner must have, and demonstrate, zero tolerance for harm, abuse and exploitation of children and must implement, monitor and enforce child protection approaches, policies and procedures to that effect. MFAT will not knowingly engage with, directly or indirectly, anyone who poses a risk to children.

Principle 2: Child victim-survivor needs are prioritised.

The delivery partner's child protection approaches, policies and procedures must prioritise victim-survivor safety and needs and the best interests of the child as the primary consideration. Responses to address harm, abuse or exploitation of children in connection with IDC programme must be guided by the principle of 'do no harm'. This approach treats the victim-survivor with dignity and respect, involves the victim-survivor in appropriate decision making and information that is given in a language and manner, appropriate to their age cognitive and developmental stage that they can understand, protects privacy and confidentiality, considers the need for support to assist with their recovery and takes a trauma-informed approach to avoid re-victimisation.

Principle 3: All children have a right to be protected from harm, abuse or exploitation.

MFAT is committed to all children regardless of disability, gender, sexual orientation, or socio-economic background being protected from harm, abuse or exploitation in connection with the IDC Programme and being supported if they suffer harm, abuse or exploitation in that connection. Special attention should be given to children with disabilities and gender diverse children who may be at higher risk of exploitation and abuse. Policies and procedures must uphold equity and respect diverse needs. This includes ensuring all children including those with disabilities receive information in formats they can easily access, making accommodations for their needs, mechanisms they can use to report concerns or abuses while also addressing the unique risks and challenge faced by these diverse groups.

Principle 4: Shared responsibility to support the protection and welfare of all children.

The design of a delivery partner's child protection approaches, policies and procedures must have been informed by consulting people and communities (including children), must build on and strengthen existing community and national mechanisms where these are already

established and trusted within the community and must build on what is already in place to assess risks and design child protection responses become more effective, culturally relevant, and sustainable.

Principle 5: Delivery partners have a duty of care to children with whom they work, are in contact with, or who are affected by their work operations.

Effective implementation of child protection measures relies on strong organisational leadership, commitment and a culture that promotes good practice. The leadership of a delivery partner must demonstrate accountability for, and commitment to preventing child abuse, harm and exploitation, commitment to building and sustaining an organisational culture that promotes the child protection and the investment of resources to educate staff and downstream suppliers about and prevent and respond appropriately to harm, abuse, and exploitation.

Principle 6: Reporting protects and ensures accountability, confidentiality, and due process.

MFAT has zero tolerance for inaction to prevent, report and respond to harm, abuse or exploitation in connection with the IDC Programme, and zero tolerance for retaliation against victim-survivors and whistleblowers. Zero tolerance does not mean zero incidents and MFAT partners will not be penalised by MFAT for reporting. Reporting mechanisms, management responses investigations and support must be trustworthy, culturally and age appropriate, and accessible. Every investigation of actual, alleged, or suspected harm, abuse or exploitation in connection with the IDC Programme must be conducted in a fair and responsible way and in accordance with the principles of natural justice. This includes fairness of procedure, freedom from bias, taking each complaint seriously, acting immediately, maintaining confidentiality except when required by law and the protection from retaliation and/or victimisation. Applying the principles of natural justice helps protect the rights of all parties including victim-survivors, complainants, witnesses, whistleblowers, and the alleged perpetrator.

5. Reporting

All actual, alleged or suspected child harm, abuse and exploitation incidents related to the IDC Programme must be reported to MFAT immediately and at the time of the delivery partner becoming aware of the matter.

Reports must be emailed to safeguard.reporting@mfat.govt.nz. All such reports will be managed in confidence, except as required by law..

Delivery partners must also follow their own reporting, response, investigation and disciplinary policies and procedures in respect of their own staff or downstream partners.

Where safe to do so, and when in accordance with the best interests of the child victim-survivor, actual, alleged, or suspected child protection incidents that involve a criminal aspect should be reported through the correct local law enforcement channels. Reporting to law enforcement channels or other agencies must be preceded by a risk assessment to avoid or mitigate unintended harm.

6. MFAT internal responsibility

MFAT aims to respond to all reports of concern within three (3) working days of receipt by MFAT. All reports of concern will be managed in confidence, except as required by law.

MFAT will monitor the application and implementation by the delivery partner of its child protection approaches, policies and procedures (including investigations) to the extent MFAT is reasonably able to do so if MFAT is not reasonably satisfied with the delivery partner's response.

MFAT will not tolerate the inaction of delivery partners to respond to actual, alleged, or suspected child protection incidents in connection with the IDC Programme, including support and redress.

The supply of information, disclosure, or reporting, when made in good faith, will not be subject to civil, or disciplinary proceedings against that person or organisation under this policy.

The following MFAT staff who perform the following roles have responsibilities in respect of this Child Protection Policy:

Role	Responsibility
Deputy Secretary PDG	Owens this Policy. Accountable for PDG-wide application, management and review of this Policy. Accountable for ensuring this Policy is implemented in connection with IDC activities.
Divisional Manager	Responsible for PDG-wide application, management and review of this Policy. Responsible for ensuring all IDC related interventions adhere to and meet the required level of standard within this Policy.
Unit Managers	Responsible for ensuring all staff in the manager's Unit and involved in the management of IDC activities are aware of this Policy and reflecting the principles of this Policy in relevant IDC business processes.
All Staff	Responsible for applying this Policy when developing and managing IDC activities.
Senior Adviser Safeguarding and Protection	Support the owner of this Policy with management, application and review. Manage on behalf of the Policy owner and in confidence, all reports of concern made regarding the Protection of Children to MFAT
Delivery Partners	Apply the Principle and standards of this Policy to their own Child Protection Policy systems and processes, including reporting and investigations, to all activities. Ensuring their own staff and downstream partners are aware of, apply and comply with this Policy and standards.

7. Compliance and Assurance

Delivery partners are expected to apply principle-based measures to ensure they and their downstream partners comply with their child protection approaches, policies and procedures and, thus, give effect to this Child Protection Policy. MFAT expects delivery partners to have robust child protection policies, procedures and assurance systems in place and to implement, monitor and enforce them.

MFAT will monitor compliance through a range of approaches and may suspend or terminate funding instruments with a delivery partner which fails to meet MFAT's expectations and requirements under this Child Protection Policy, fails to comply with applicable laws or regulations or fails to give effect to its own relative approaches, policies, and procedures.

8. Effective Date and Review

This Child Protection Policy will be in effect immediately. A review of this Policy will be conducted within three (3) years of the date of implementation, or of its most recent review thereafter.

MFAT

MINISTRY OF FOREIGN AFFAIRS AND TRADE
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