

INTERNATIONAL DEVELOPMENT COMMITTEE

Draft Bill drawn up and proposed for consultation by the Chair and Members of the International Development Committee

Explanatory Note

1. *The suggested strategy is to ask for comments*
2. *Clause 1 is based on the formulation in the [International Development \(Gender Equality\) Act 2014](#) which introduced a duty on Secretary of State (for International Development) to have regard to the desirability of providing aid (both humanitarian and development) “in a way which is likely to contribute to reducing inequality between persons of different gender”. This clause seeks to require the Secretary of State to provide aid in a way that “in a way which is likely to contribute to the safeguarding of children and vulnerable adults from sexual exploitation and abuse”.*
3. *Clause 2 requires, and facilitates, the amendment of [existing legislation](#) to provide for disclosure and barring amongst aid sector personnel which is equivalent to the level required for other regulated activities (e.g. undertaken by teachers, social workers, care workers and others in contact with children and vulnerable adults).*
4. *Clause 3 requires the Secretary of State to produce an annual report on ‘safeguarding within UK aid’.*

The *draft* International Development (Safeguarding Vulnerable Groups) Bill

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make provision in connection with the protection of children and vulnerable adults in receipt of overseas development assistance and disaster relief.

1 Duty to have regard to the protection of children and vulnerable adults in receipt of disaster relief and overseas development assistance

(1) The International Development Act 2002 is amended as follows.

(2) In section 1 (development assistance), after subsection (1A) insert—

“(1B) Before providing development assistance under subsection (1), the Secretary of State shall have regard to the desirability of providing development assistance that is likely to contribute to reducing poverty in a way which is likely to contribute to the safeguarding of children and vulnerable adults from sexual exploitation and abuse by persons with responsibilities, duties and powers to deliver, apportion or otherwise allocate goods and services arising from overseas development assistance.”

(3) In section 3 (humanitarian assistance), after subsection (2) insert—

“(3) Before providing assistance under subsection (1), the Secretary of State shall have regard to the desirability of providing assistance under that subsection in a way that contributes to the safeguarding of children and vulnerable adults affected by the disaster or emergency from sexual exploitation and abuse by persons with responsibilities, duties

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and powers to deliver, apportion or otherwise allocate goods and services arising from overseas development assistance.”

- (4) The requirement imposed by an amendment made by this section may be satisfied by things done (wholly or in part) before the commencement of the amendment (including things done before the passing of this Act).

2 Delivery of development aid and disaster relief to be a regulated activity

- (1) The delivery, apportionment or other allocation of goods and services arising from overseas development assistance shall be a regulated activity for the purposes of the Safeguarding Vulnerable Groups Act 2006.
- (2) The Secretary of State may by regulation amend the Safeguarding Vulnerable Groups Act 2006, or orders and regulations made under that Act, for the purposes of meeting the objective under subsection (1).
- (3) Regulations under this section are subject to the affirmative resolution and may not be made unless a draft of the statutory instrument containing them has been laid before Parliament and approved by a resolution of each House of Parliament.

3 Duty of the Secretary of State to report to Parliament

The Secretary of State shall lay a report before each House of Parliament each year on:

- (a) the discharge of the duties required in section 1,
- (b) breaches by any organisation employing one or more persons with the responsibilities, duties or powers mentioned in section 1, subsections (2) or (3), of obligations imposed by virtue of section 2, or any regulations made under that section, and
- (c) any other matter that she is satisfied is relevant to the purposes of this Act.

4 Commencement, citation and extent

- (1) This Act extends to the United Kingdom.
- (2) This Act comes into force on the day after the day on which it receives Royal Assent.
- (3) This Act may be cited as the International Development (Safeguarding Vulnerable Groups) Act 2018.