

A blue-tinted photograph of a woman in profile on the left, looking towards a young child on the right. The woman has her hand near the child's ear. The child is looking directly at the camera with a neutral expression. The background is slightly blurred, showing some patterned fabric.

Partnership Due Diligence Assessment Tool

Residential Care Service Providers

About the Tool

The Partner Due Diligence Assessment Tool was developed specifically for charities seeking to partner with overseas organisations who provide residential care services for children.

It is designed to help you determine whether your partner or prospective partner is operating in accordance with standard notions of good practice and international norms. It provides a list of questions that can be asked or answered through various means including by looking at the organisation's website, marketing materials, policies, annual reports, key governing documents and through site visits and discussions. It includes two sections, covering a basic organisational assessment and an assessment covering the residential care facility and service run by the third-party organisation.

The questions are worded in such a way that good practice would be indicated by a 'yes' response, and 'no' responses indicates gaps or areas of concern. Question 7.12 is the exception to this rule. In this case, any 'yes' is a clear red flag as indicated by the question.



Section One

Organisational Assessment

1. Legally Registered and Duly Licensed				Ways to Verify
1.1	Is the organisation registered as a local or international not for profit entity in the country of operation?	Yes	No	<ul style="list-style-type: none"> • Certificate of Entity Registration • Certified copy of the constitution
1.2	Is the residential care facility appropriately registered or licensed to operate residential services for children?	Yes	No	<ul style="list-style-type: none"> • Certificate of Registration • Copy of license • Memorandum of understanding
2. Governance				Ways to Verify
2.1	Does the organisation have a formal governing instrument? Does the constitution/governing instrument include articles that address:	Yes	No	<ul style="list-style-type: none"> • Constitution • By-laws • Articles of association
2.2	Appointment and termination of board members	Yes	No	
2.3	Charitable purpose and status as a not for profit organisation	Yes	No	
2.4	Distribution of assets in the case of dissolution	Yes	No	
2.5	Does the entity have a documented board appointed in accordance with the constitution?	Yes	No	<ul style="list-style-type: none"> • Copy of board structure as officially recorded with government
2.6	Does the board meet regularly and function according to the constitution?	Yes	No	<ul style="list-style-type: none"> • Organisational records • Verbal confirmation
2.7	Are there any obvious conflicts of interest that could impact governance?	Yes	No	<ul style="list-style-type: none"> • Board Conflict of Interest Register • Check for board independence from staff • Check to see if board members are related to the director/s
2.8	Is the organisation currently involved in any litigation or subject to serious complaints or investigations?	Yes	No	<ul style="list-style-type: none"> • Include clause requiring disclosure in partnership agreement • Online search

3. Financial Controls

Ways to Verify

3.1	Does the organisation have controls in place to manage the risk of fraud and/or misappropriation of funds?	Yes	No	<ul style="list-style-type: none"> • Finance Policy • Risk Management Policy • Annual Reports • Audited Reports
This should include at minimum:				
3.2	A bank account in the organisation's name	Yes	No	
3.3	A requirement for two signatories to withdraw funds	Yes	No	
3.4	A clear operational budget and means of recording and tracking expenses against the budget	Yes	No	
3.5	A transparent process for recording gifts and donations	Yes	No	
3.6	A requirement to obtain and keep original receipts for expenditure	Yes	No	
3.7	A transparent financial reporting process	Yes	No	
3.8	Periodic audits of accounts	Yes	No	
3.9	Does the organisation publish or make available annual reports which include financial statements?	Yes	No	<ul style="list-style-type: none"> • Annual Report • Website check

4. Child Protection

Ways to Verify

4.1	Does the organisation have a written child safeguarding policy (otherwise called a child protection policy) in place?	Yes	No	<ul style="list-style-type: none"> • Child Safeguarding/Protection Policy • Website audit. You can check to make sure the organisation doesn't: <ul style="list-style-type: none"> • Disclose children's personal or identifying information online • Advertise orphanage tourism or unskilled volunteering • Communications Policy • Child Sponsorship Policy or guidelines. Check if the organisation puts appropriate boundaries in place to manage contact and communication between children and sponsors.
At minimum, does the policy include:				
4.2	A commitment to safeguarding, including through providing staff and stakeholders with appropriate training and providing information to children	Yes	No	
4.3	Child safe screening and recruiting practices	Yes	No	
4.4	Code of Conduct	Yes	No	
4.5	Definitions of abuse	Yes	No	
4.6	Clear procedure for reporting concerns or allegations, including child safe and friendly reporting procedures.	Yes	No	
4.7	Child safe communication and media protocols, including use of children's images, protection of privacy and identity.	Yes	No	
4.8	Prohibition on orphanage tourism and unskilled volunteering, and clauses that limit the use of skilled volunteers to non-caregiver roles.	Yes	No	
4.9	Requirement for all staff and stakeholders to sign the policy.	Yes	No	

Section Two:

Assessment of Residential Care Facilities and Services

This section of the assessment deals with the technical aspects of the program and is based on the International norms and standards taken from the Convention on the Rights of the Child, Convention on the Rights of Persons with Disabilities, and the Guidelines for the Alternative Care of Children. It is organised around three key pillars central to the international norms:

- **The Necessity Principle:** ensuring alternative care is used only when genuinely required
- **The Suitability Principle:** ensuring children access the type of alternative care best suited to their needs
- **The Best Interest of the Child Principle:** ensuring all decisions are made in children's best interests, with their participation and with respect for their holistic rights and individual needs.

Tip:

This section contains some technical questions which may be more challenging to assess. If there are concepts or questions that you are unfamiliar with, we recommend you refer to the relevant sections of the [Moving Forward: Implementing the Guidelines for the Alternative Care for Children](#) manual. The manual is an excellent and very practical resource which unpacks the principles and provides helpful case studies and examples.

Whilst it is completely reasonable for Australian charities who fund or partner with overseas programs to have limited technical knowledge of alternative care, overseas organisation directly running residential care services should be able to demonstrate a working knowledge of these principles. If they do not, it may indicate they lack the qualifications and expertise to work with highly vulnerable children and provide appropriate and professional services. In these cases, Australian charities should consider their options, including facilitating training or seeking more qualified partners.

5. Awareness of Norms and Standards

Ways to Verify

5.1	Are the directors familiar with the Convention on the Rights of the Child (CRC) and implications for alternative care?	Yes	No	Unsure	<ul style="list-style-type: none">• Website check for references• Check for reference of the CRC as a guiding principle in policies• Verbal conversation
5.2	Are the directors familiar with the Convention on the Rights of Persons with Disabilities and the implications for the care of children with disabilities?	Yes	No	Unsure	<ul style="list-style-type: none">• Policies• Website communications• Verbal conversations
5.3	Are the directors and staff aware of the Guidelines for the Alternative Care of Children and implications for alternative care service providers?	Yes	No	Unsure	<ul style="list-style-type: none">• Check policies• Website/communications• Verbal conversations• Program documentation
5.4	Are the directors and staff aware of the National Minimum Standards and Policy for Alternative Care for Children and the implications for their service?	Yes	No	Unsure	<ul style="list-style-type: none">• Check policies• Procedures• Minimum standards inspection reports• Verbal conversations

6. Necessity Principle

Ways to Verify

6.1	Does the organisations seek to prevent separation by facilitating families' access to family support and strengthening services and by promoting informal social support and customary coping strategies?	Yes	No	Unsure	<ul style="list-style-type: none"> • Gatekeeping Policy • Existence of family and community services • Referral networks
6.2	Does the organisations have in place a clear intake criterion for alternative care that is in line with national laws, policies and the Guidelines for the Alternative Care for Children?	Yes	No	Unsure	<ul style="list-style-type: none"> • Admission Policy/procedures/forms • Minimum standards inspection reports
6.3	Are robust gatekeeping mechanisms in place that require child and family assessments be carried out by competent and authorised professionals in order to determine if alternative care is actually necessary?	Yes	No	Unsure	<ul style="list-style-type: none"> • Child sponsorship funding models • Clauses included in partnership agreements • Case management
6.4	Is admission into residential care an option of last resort and temporary and only takes place when mandated by the relevant authorities?	Yes	No	Unsure	<ul style="list-style-type: none"> • Time bound individual case plans
6.5	Does the organisation conduct regular reviews of all placements of children in residential care and facilitate reunification or reintegration as soon as possible?	Yes	No	Unsure	
6.6	Does the organisation prohibit the active recruitment of children into the residential care facility or other irregular admissions?	Yes	No	Unsure	
6.7	Are you satisfied that the funding model and structure doesn't incentivise or encourage unnecessary placement or retention of children in residential care?	Yes	No	Unsure	

7. Suitability Principle				Ways to Verify	
7.1	Does the organisation have a means of providing or referring children to family-based alternative care and prioritise family placements?	Yes	No	Unsure	<ul style="list-style-type: none"> • Verbal confirmation • Referral agreements • National gatekeeping and referral structures
7.2	Are residential care placements reviewed at minimum every six months for ongoing necessity and suitability?	Yes	No	Unsure	<ul style="list-style-type: none"> • Reintegration Policy • Care plans • Inspection reports • Verbal confirmation
7.3	Is there a reintegration procedure and policy in place?	Yes	No	Unsure	<ul style="list-style-type: none"> • Policy
7.4	Is the residential care facility regularly inspected by the government?	Yes	No	Unsure	<ul style="list-style-type: none"> • Inspection Report • Registration/license agreement • Verbal confirmation
7.5	Does it meet the minimum standards of residential care (national standards or the international guidelines)	Yes	No	Unsure	<ul style="list-style-type: none"> • Inspection Report • Audit Report • Site visit
7.6	Does the organisation facilitate regular family contact for all children in care?	Yes	No	Unsure	<ul style="list-style-type: none"> • Policy • Verbal confirmation
7.7	Does the organisation facilitate participation in community and cultural life for children in care?	Yes	No	Unsure	<ul style="list-style-type: none"> • Policy • Verbal confirmation • Care plans
7.8	Does the organisation provide access to the full range of services required to uphold children's rights?	Yes	No	Unsure	<ul style="list-style-type: none"> • Care plans • Verbal confirmation • Site visit
7.9	Is the residential care facility small with a sufficient number of caregivers and structured as family-like as possible?	Yes	No	Unsure	<ul style="list-style-type: none"> • Site visit • Pictures • Policies • Staff to child ratio

7.10	Does the organisation employ suitably qualified and trained staff to work with children in care? (e.g social workers)	Yes	No	Unsure	<ul style="list-style-type: none"> • Verbal confirmation • Staff PDs • HR Policy
7.11	Does the organisation ensure children under 3 are never admitted into residential care, rather ensures young children are placed in or referred to family-based care?	Yes	No	Unsure	<ul style="list-style-type: none"> • Policies • Orphanage Register • Verbal conformation • Website check
7.12	<p>Is there evidence of any of the following red flags?</p> <ul style="list-style-type: none"> • Exploitation: including forced labour, orphanage tourism, sexual exploitation, servitude paper orphaning. • Proselytization: are children brought into care for religious conversion or discipleship purposes. • Discrimination: are children brought into care on the basis of having a disability, being HIV/AIDs affected, ethnicity or gender. • Abuse: including neglect, emotional abuse, physical abuse including corporal punishment or sexual abuse. • Substandard conditions: including those that pose a significant risk to a child's safety or wellbeing or could signal exploitation for the purposes of eliciting donations. • Irregular admissions: including active recruitment of children from their families and communities. 	Yes	No	Unsure	<ul style="list-style-type: none"> • Evidence of orphanage tourism on websites, marketing materials, or on the premises. • Marketing/communications materials may include references to suggest children are in care for religious or political purposes. It may also indicate discrimination where it states children are in care solely due to disability, ethnicity, or due to their HIV/AIDs status or that of their parents. • Site visits and verbal confirmation may be revealing with respect to some red flags. • Reports from local NGOs • Lack of registration and inspections. • Unethical or inappropriate use of children's images, stories, or information to elicit sympathy and to seek donations. • Strong promotion of children as 'orphans'. • Indications that children's identities have been changed (can be indicated where Western or Christian names are given in non-Western cultures where such names are uncommon). • Requiring children to perform for visitors or tourists.

8. Best Interests of the Child Principle

Ways to Verify

8.1	Does the organisation involve the child and their family in decision making and take into account their wishes?	Yes	No	Unsure	<ul style="list-style-type: none">• Policies• Verbal confirmation• Care plans
8.2	Does the organisation take into account all of the child's rights and consider the ways decisions might encroach on or cause a conflict of rights?	Yes	No	Unsure	<ul style="list-style-type: none">• Best Interest Determinations• Care Plans• Website information (for example where children are admitted into care to provide access to services to address poverty, education or disability, without due regard for how this conflict with their right to family-life)
8.3	Does the organisation have a means of consulting with the child in decision making once in care and informing them of the rationale for decisions made?	Yes	No	Unsure	<ul style="list-style-type: none">• Policies• Verbal confirmation• Care plans
8.4	Does the organisation tailor support to the individual needs of children as opposed to providing standardised impersonal care to all children?	Yes	No	Unsure	<ul style="list-style-type: none">• Site visits• Care plans• Verbal confirmation

Findings and Decision Making

Based on the information obtained, consider the following questions as you make a decision about partnership:

- Are you confident the organisation is operating in accordance with national laws, international norms and good practice principles?
- Are there any areas of concern and can those concerns be addressed? If so how?
- Do you need to seek more information or clarity from your prospective partner or do more research yourself before you can make an informed decision?
- Are you confident a partnership with this organisation will allow you to meet all legal and regulatory requirements imposed on your charity?
- Do you have the capacity to sufficiently monitor this partnership to ensuring ongoing compliance?
- Are there any serious concerns or risks to children that need to be reported and addressed?
- Should this partnership be recommended to your board for approval or renewal?

For more information or support, please contact

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