Child Protection Policy
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Introduction

1.1 Background

About Blue Dragon Children’s Foundation
Blue Dragon Children’s Foundation (Blue Dragon) works with children in crisis throughout Vietnam, and is governed by an Australian Board, Blue Dragon’s Children Foundation International, (BDI).

Blue Dragon works with highly vulnerable children and so it is our responsibility to do everything in our power to ensure that they are safe and cared for within our organisation.

Blue Dragon children are street kids, children with disabilities, and children who have been trafficked. We rescue children from danger, reunite them with their families when we can, and provide all the services needed for recovery and growth.

Our Vision

A world where all children are safe, can attend school, be treated with respect, be heard, be understood, and be loved.

Our Mission

Blue Dragon provides exceptional care to Vietnamese children in crisis and pioneers new approaches and ideas for systemic change that will lead to a better world for all.

1.2 Commitment to Child Protection
Blue Dragon believes all children have the right to protection from abuse and exploitation. Blue Dragon adopts a ‘zero tolerance’ approach to child abuse and exploitation, and takes all possible steps to reduce the risk of harm and protect the children we come into contact with. This includes ensuring all staff and associated personnel understand the behaviour that is expected of them, promoting a child-safe environment at all times, and respond immediately to any child protection concerns.

Blue Dragon is committed to not only the child and their family, but to advocating for systemic change in government policies and laws for the rights and protection of all children in Vietnam.
2 Guiding principles

The policy is underpinned by the following principles:

- Blue Dragon believes all children have the right to live in an environment that is caring, safe, and free from abuse, regardless of their background, gender, sexuality, religious or political views, economic status, criminal history, or ethnicity.
- Blue Dragon has zero tolerance for any form of child abuse or exploitation.
- Blue Dragon ensures that everything we do and are involved in should be in the best interests of the child.
- Blue Dragon supports the right of all children to participate in a meaningful manner in all matters pertaining to their care and protection.

3 The Policy

3.1 Purpose

This policy documents Blue Dragon’s practices and plans to keep children and young adults safe. This policy is intended to guide and educate all staff and associated personnel in preventing any abuse of children within the organization and its programs. Further, it provides guidance on what steps to take when concerns arise regarding the safety of children. Blue Dragon promotes a culture and environment where everyone is committed to protecting and safeguarding children. This policy is accompanied by implementation guidelines to assist all staff and associated personnel in safeguarding and protecting children across all areas of the organisation’s work.

3.2 How does Blue Dragon define a “Child”?

The definition of a child under current legislation in Vietnam, Law on Child Protection, Care and Education 2004 states that children are “Vietnamese citizens aged under 16 years”. However, Blue Dragon adopts the definition of the United Nations Convention on the Rights of the Child (UNCRC), which defines a child as “any person under the age of 18 years, regardless of whether a country’s laws recognise adulthood earlier” (UNCRC, 1989). Vietnam is a signatory to the UNCRC.

3.3 Scope of this policy

This policy applies to all staff and associated personnel, who are required to abide by this policy both in and out of working hours. ‘All staff and personnel’ refers specifically to:

- contracted staff (full time and part time)
- volunteers
- interns
- board members
- people on short term contracts, including consultants and contractors
- visitors to Blue Dragon, including donors, researchers and media
- partners of Blue Dragon
3.4 Definitions in this policy

**Abuse**

Child abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Abuse includes physical, sexual, emotional, neglect, child labour and family violence. Abuse can be committed by any adult, including parents, teachers, strangers, or any person working with children in a position of trust. Abuse can also be committed by other children.

- **Physical abuse:** the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning

- **Neglect:** the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing

- **Emotional abuse:** refers to a parent or caregiver’s inappropriate verbal or symbolic acts toward a child, or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child’s self-esteem or social competence

- **Sexual abuse:** the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography

**Best interests of the child**

Article 3 of the UNCRC states that “the best interest of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers”.

**Bullying**

Bullying is the inappropriate use of power by an individual or group, with intent to injure either physically or emotionally. It is usually deliberate and repetitive. The bullying may be physical or psychological (verbal and non-verbal). Cyberbullying refers to bullying through information and communication technologies such as online chat rooms, sexting, Facebook or other social media. Bullying can involve humiliation, domination, intimidation, victimisation and all forms of harassment including that based on sex, race, disability, homosexuality or transgender.

- Physically, bullying includes pushing, hitting, punching, kicking or any other action causing hurt or injury
- Verbal bullying includes insults, taunts, threats and ridicules
- Psychological bullying includes physical intimidation and ostracism

**Child Abuse & Exploitation Materials**

This refers to material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, cruelty or physical abuse; or which may be classified as child pornography material.

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1. Fact Sheet No. 12 What is child abuse and neglect? National Children’s Clearinghouse, Australian Institute of Family Studies.
Child labour is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. Whether or not particular forms of “work” can be called “child labour” depends on the child’s age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries. (Source: International Labor Organisation). It refers to work that:

→ is mentally, physically, socially or morally dangerous and harmful to children; and
→ interferes with their schooling by depriving them of the opportunity to attend school by obliging children to leave school early

Child protection is the term used to describe the responsibilities and activities undertaken to prevent or stop children being harmed.

Child safeguarding is a term used for internal facing, business - critical policies, procedures and practices that are employed to ensure that an organisation itself (local or international NGO, faith – based organisation, school, religious institution, UN agency, etc.) is a child safe organisation. It is a sub-set of the broader field of child protection, which includes the work and actions of individuals, communities, organisations and governments to protect children from all forms of harm.

Duty of care is a common law concept that refers to the responsibility of the organisation and individuals within the organisation to provide children with an adequate level of protection against harm. It is the duty of the organisation to protect children from all reasonably foreseeable risk of injury.

Exploitation refers to the use of a child in work or other activities for the benefit of others and to the detriment of the child's physical and mental health, development and education. Exploitation includes, but is not limited to, child labour and child sexual exploitation.

Grooming occurs when someone builds an emotional connection with a child in order to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Children and young people can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional.

Human trafficking is making a profit (monetary or otherwise) from selling a child or adult for sexual exploitation or forced labour.

Partner For the purposes of this policy, partner refers to any organisation or person (such as an external service provider or vendor) that Blue Dragon works with to deliver services in Vietnam.

Sexual exploitation refers to the sexual abuse of children and youth through the exchange of sex or sexual acts for drugs, food, shelter, protection, other basics of life, and/or money. Sexual exploitation includes involving children and youth in creating pornography and sexually explicit websites.

Screening refers to the actions taken to ensure that anyone engaged to work or volunteer with Blue Dragon does not have a past history of abusing children and is suitable to work with or near children.
3.5 **Access to this policy**

All staff and associated personnel will have access to a copy of this Child Protection Policy in both English and Vietnamese. The Policy is posted on IntraBlue, Blue Dragon’s intranet, in the Policy section, and is also kept in all office and meeting spaces at Blue Dragon centres for access by staff, visitors, donors, partner organisations, and families.

Children have access to a child friendly version of the Code of Conduct and guidelines for reporting and investigation. These guidelines are displayed in all facilities run by Blue Dragon.

4 **Child Protection Code of Conduct**

The child protection Code of Conduct is mandatory for all staff to sign and adhere to. The Code of Conduct outlines the behaviour expected of all staff and personnel, and their interactions with children. It is an integral part of this policy.

*Refer to Appendix 1: Code of Conduct.*

5 **Reporting and Investigation Process**

5.1 **Mandatory Reporting of Concerns**

All staff members and associated personnel are Mandatory Reporters for any child protection concerns. Staff and volunteers do not need to have any proof of a breach; it is enough for staff to report a suspicion or concern. If an allegation is against the CEO, staff must report directly to the Chair of BDI. *Refer to the Child Protection Concern Reporting Chart below.*

The Child Protection (CP) Focal point is required to inform the leader of the Child Protection Advisory Committee (CPAC) and the CEO. The CP Focal point will work with the CPAC leader to triage reports and plan response and conduct investigation with guidance from the CEO.

If requested by the CPAC, the reporting staff member must also provide a written incident report within 24 hours of the verbal notification to the Child Protection Focal Point. The CEO is required to inform the Board of any serious concerns or breaches of the child protection Code of Conduct.

All staff have the right to report a child protection complaint directly to the Chair of BDI, regardless of who is involved in the breach, if they are not satisfied that a proper response to a complaint has been made by the CPAC.

Contact details for Child Protection Focal Points, Child Protection Advisory Committee, the CEO and Chair of BDI are posted on IntraBlue in the Child Protection section of the Policy page.
Flow Chart for reporting a child protection concern

Who can report?
- Children
- Parents or other adults
- Partner organisations
- Blue Dragon’s Staff, Volunteers and Associated Personnel

What to report?
- A concern reported by a child
- If you see something concerning
- If you hear of a concern

When to report?
- All concerns should be reported as soon as possible and within 24 hours (verbal or written)
- CPAC will determine whether a written report is required

Who to report to?
- Report directly to a Child Protection Focal Point (see below)
- Any allegation against the CEO must be reported directly to the Chair of BDI (chair@bdcf.org)

What will happen to your report?
- Every reported breach will be taken seriously and treated in confidence
- CPAC Leader and CEO will be informed, and if necessary other CPAC members will be involved
- CPAC will conduct an investigation into the concern if warranted
- The CEO is required to immediately inform the Chair of Blue Dragon International or donors of any serious breach of the code of conduct

Important contacts

Child Protection Focal Point: Giang, 0983556950, childprotection@bdcf.org
Hue Focal Point: Quy, 0968080010, quy.hue@bdcf.org
Dien Bien Focal Point: Thuy, 0906149401, thuy@bdcf.org
BDI Chair: Tony Jacobs, +61 407062948, chair@bdcf.org
5.2 Confidentiality

The reporting of concerns and suspicions is confidential. No staff member who reports a concern shall have their position at Blue Dragon placed at risk as a result. Every reported concern will be treated in confidence. There may be times when management is unable to maintain confidentiality, such as when a matter must be reported to police.

The CEO & CPAC Leader will keep incident reports and investigation documents filed in a password-protected file.

5.3 Investigation Procedure

The overriding principles when dealing with child protection concerns is always the best interests of the child. CPAC is responsible for conducting the investigation and will call on external support if needed.

Where the incident is reasonably proven to have occurred, and depending on the severity of the breach, disciplinary measures will be taken in line with the Human Resources manual.

6 Child Protection Responsibilities and Delegations

6.1 Monitoring Implementation of the Child Protection Policy

Whilst child protection is everyone’s responsibility, the diagram below outlines the specific responsibilities for monitoring the implementation of the policy.
6.2 Responsibilities and Delegations

All people associated with Blue Dragon, regardless of their position, have a responsibility to care for and protect children above any other responsibility or role that they may have.

All Staff and associated personnel will

→ Commit to the principles stated in this Policy
→ Agree to and sign the Child Protection Code of Conduct
→ Participate in Child Protection induction and annual training
→ Adhere to the mandatory procedures for reporting Child Protection concerns
→ Avoid undertaking any investigation of alleged breaches of this policy and the Code of Conduct Report directly to the Chair of Blue Dragon International if the concern or breach is suspected to be by the CEO
→ Report directly to the Chair of Blue Dragon International if the concern or breach is suspected to be by the CEO
→ Report directly to the Chair of BDI if they are not satisfied that a proper response to a complaint has been made by the CPAC.
→ Direct service delivery staff to ensure all children receive training in child protection and are aware of the age-appropriate process of reporting any incident or seeking help.
→ Raise awareness in the communities on child protection and Blue Dragon’s

The Board of Blue Dragon International, the CEO, Child Protection Advisory Committee, Managers all have separate and distinct responsibilities and delegations regarding the monitoring and implementation of the Child Protection Policy. See Implementation Guidelines for detailed roles and responsibilities for other staff.

7 Child Safe Recruitment

Blue Dragon follows child safe recruitment practices for all staff, volunteer and intern positions in the organisation. This includes the use of screening practices, verbal references, police checks, disclosure of criminal background through a Declaration, targeted behavioural interview questions and a probation period.

Any person who may pose an unacceptable risk to the safety of a child will not be engaged at Blue Dragon in any capacity

Refer to Appendix 2: Child Safe Recruitment Guidelines
8 Induction and training

All new staff, volunteers, board members and interns undergo an induction which includes training in Blue Dragon’s Child Protection Policy and signing of the Code of Conduct.

Annual training in Child Protection is mandatory for all staff. Ongoing related training is provided for all staff throughout the year.

Volunteers and Interns are required to participate in tailored child protection training through regular meet-ups and supervision with their supervisor.

9 Working with partners and other organizations

Blue Dragon works with other organisations in Vietnam and abroad to benefit our children. This may include building relationships with organisations that help with education, health, employment or vocational opportunities for children.

Blue Dragon establishes a shared understanding of Blue Dragon’s child protection policy and practices with all partners. Formal partners are provided with basic training in child rights, child protection, and the need for a child protection policy, are provided with a copy of the policy, and are asked to sign the Child Protection Code of Conduct.

Blue Dragon collaborates with partners in the development of new projects or programs to ensure child safe practices are implemented.

Refer to Appendix 3: Child Protection Risk Assessment

10 Child Protection Risk Assessment

Blue Dragon is a child-focused organization and works with highly vulnerable children. All Blue Dragon staff and volunteers are required to be aware of potential risks to children at all times.

In addition to ongoing awareness of potential risks to Blue Dragon children, Blue Dragon Management will conduct an annual organisational risk assessment. An organizational Risk Register will be maintained, which all Program Managers and Coordinators will contribute to. This Register will be reviewed annually and if necessary, updated. If circumstances change during the year period, an assessment will be conducted sooner. Any time there is a serious breach of the code of conduct, an organizational risk assessment will automatically be conducted.

A Child Protection Risk Assessment Template can be found in the Child Protection Policy Implementation Guidelines.
11 Exceptional Circumstances

Blue Dragon works in a very dynamic and unpredictable environment where sometimes our work with children doesn’t fit neatly into our own guidelines. All decisions and actions that are made in exceptional circumstances must be made in consultation with your supervisor, CPAC and CEO, and always in the best interest of the child. The CEO will inform the Chair of BDI.

12 Review of this Policy

Blue Dragon’s Child Protection Policy is reviewed every 3 years by Blue Dragon International’s Child Protection Specialist Directors. This review could involve speaking with staff, observing implementation, and comparing the policy to relevant compliance standards.

In addition, the Child Protection Advisory Committee reviews the implementation of this policy each year. The policy can be updated at any time by the CEO, with input from the CPAC, and all changes must be approved by the board of Blue Dragon International.
Annex 1

CHILD PROTECTION CODE OF CONDUCT

The Blue Dragon Child Protection Code of Conduct should be read in conjunction with the Blue Dragon Child Protection Policy. All staff, board members, partners, interns and volunteers must read, sign and abide by the Code of Conduct. The Code of Conduct is intended to guide all staff and volunteers to make ethical decisions and ensure the protection/safeguarding of children. Blue Dragon’s ability to ensure the protection of children that it works with depends on the commitment and ability of its staff and volunteers to uphold and promote the highest standards of care, best practice, ethical and professional conduct.

All people working with Blue Dragon in any capacity, paid or otherwise, must agree and abide to the following:

I ___________________________ am accepting the position of ___________________ at Blue Dragon Children’s Foundation.

I have read Blue Dragon’s Child Protection Policy. I understand the responsibilities of all people when working with children at Blue Dragon and I will abide by the Child Protection Code of Conduct.

I understand I must always:

➢ Treat children with respect regardless of gender, race, colour, language, religion, political or other opinion, national ethnic or social origin, property, disability, birth or other status.
➢ Endeavour to provide an inclusive and safe environment for all children and young people.
➢ Avoid circumstances where my behaviours may be misinterpreted as hostile, neglectful or inappropriate to children.
➢ Use computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation or abuse material through any medium.
➢ Safeguard and use Blue Dragon information and resources in a responsible manner that will not place children at risk of harm.
➢ Uphold the integrity of Blue Dragon by ensuring that their professional and personal conduct is, and is seen to be, of the highest standard.

I understand that it is inappropriate to:

➢ Spend excessive time alone with children away from other children or adults
➢ Spend time with children outside of approved Blue Dragon activities, or the requirements of my particular role in the organisation;
➢ Take children to my home.

I understand I must never:

➢ Use physical punishment on children such as smack or hit children.
➢ Develop intimate or sexual relationships with children.
➢ Develop relationships with children which could in any way be deemed exploitative or abusive.
➢ Act in ways that may 'groom' a child for abuse, be abusive or may place a child at risk of abuse.
➢ Use language, or behaviour towards children which is inappropriate, offensive, abusive, sexually provocative, demeaning or culturally inappropriate.
➢ Behave physically in a manner which is inappropriate or sexually provocative towards a child.
➢ Sleep in the same room or bed with a child, unless absolutely necessary, in which case I must inform and receive approval from my Manager and the CEO first.
➢ Do things for children of a personal nature that they, themselves, can do independently, for example, dressing and undressing or taking to the toilet.
➢ Condone, or participate in, behaviour of children which is illegal, abusive or exposes the child to danger.
➢ Act in ways intended to shame, humiliate, belittle or degrade children.
➢ Discriminate against, or favour, particular children to the exclusion of others.
➢ Hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them as significant risk of injury.
➢ Release or discuss any personal or confidential information about suspected or proven child abuse cases, other than with the designated Child Protection Focal points as per Blue Dragon's Child Protection Policy.

When photographing or filming a child or using children's images for work-related purposes, I will:

➢ Be informed and respectful of local traditions or restrictions before photographing or filming a child.
➢ Obtain informed consent from the child and parent or guardian of the child by explaining the possible uses of the photograph or film, before photographing or filming.
➢ Ensure photographs, films, and videos present children in a dignified and respectful manner and not in a vulnerable or submissive manner.
➢ Ensure children are adequately clothed and not in poses that could be seen as sexually suggestive.
➢ Ensure images are honest representations of the context and the facts.
➢ Ensure file labels, data or text descriptions do not reveal identifying information about a child when sending images electronically, publishing images in any form, or in discussions.
➢ Ensure all photos or videos are kept in a secure, password-protected folder or location, accessible only to those with permission to do so.

To ensure my commitment to this Code of Conduct, I will:

➢ Make myself aware of situations that may present risks and manage them accordingly. If I am unsure I will ask my supervisor for support.
➢ Participate in the Blue Dragon Child Protection induction training, and other child protection training that is provided or organised by Blue Dragon.
➢ Plan and organise my work and the workplace so as to minimise risks to the child.
➢ Ensure that, whenever possible, another adult is present when working within the proximity of children.
➢ Contribute to a culture of openness to enable any issues or concerns to be discussed.
➢ Talk to children about their contact with staff and volunteers, to build their skills in protective behaviours and understand their rights.
➢ Encourage and support children to raise any concerns.
Comply with all relevant local and international legislation, including labour laws in relation to child labour.

Immediately report concerns or allegations of child exploitation and abuse and breaches of policy in accordance with Blue Dragon’s Child Protection Policy guidelines.

Immediately disclose all charges, convictions and other outcomes of an offence which occurred before or occurs during my association with Blue Dragon that relate to child exploitation and abuse.

I have fully disclosed to Blue Dragon any information that is relevant to an assessment of my suitability to work with or near children.

I understand that the responsibility is on me, as a person associated with Blue Dragon Children’s Foundation, to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.

I understand that at all times I can contact Blue Dragon’s CEO, Child Protection Advisory committee, Program Manager or my supervisor to talk to about any aspect of the Child Protection Policy that remains unclear.

Name

Signature

Date

For volunteers/staff who are aged under 18 at the time of application, the co-signature of a parent or guardian is required:

Name of parent/guardian

Signature

Date

Thank you for contributing to the care and protection of children at Blue Dragon.
## ANNEX 2

### HR: Child Safe Recruitment Checklist

Blue Dragon follows child safe recruitment practices for all staff, volunteer and intern positions in the organization. This includes the use of screening practices to ensure suitability to work with or near children (eg targeted behavioural interview questions, verbal references, police check, disclosure of criminal history, and a probation period.)

<table>
<thead>
<tr>
<th>Task</th>
<th>Who is involved</th>
<th>Check</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval for new position, including program need and funding.</td>
<td>HR, Program/Department Manager, CEO</td>
<td></td>
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</tbody>
</table>
| Job Description developed.  
1) Must use standard template.  
2) Translate into English and Vietnamese. | Program/Department Manager, CEO | |
| Job Description posted internally on IntraBlue and externally on other forums.  
Applicants to email [jobs@bdcf.org](mailto:jobs@bdcf.org) | HR | |
| Applicants must provide a letter of introduction; their CV; the names and contact details of 2 referees (at least 1 referee must be from previous employer); and confirmation that they can provide a police check. | HR | |
| All applicants must be responded to, thank them for their application and we will be in contact soon. | HR via [jobs@bdcf.org](mailto:jobs@bdcf.org) | |
| Meet to shortlist applicants (print off all applications). | Program Manager, Program Coordinator and HR | |
| Schedule interviews with shortlisted applicants. | HR | |
| Adjust Interview plan questions to suit position, must include both behavioural and situational questions. | HR, Program Manager and Program Coordinator | |
| Conduct interview using interview plan to screen applicants. | Program Manager, Program Coordinator, HR | |
| Select successful candidates. | Program Manager, Program Coordinator, HR, CEO | |
| Complete reference checks by phone. | HR | |
| Contact successful candidates to offer salary and request a copy of a current police check. | HR | |
| Meet to confirm employment with successful applicant including: signing a declaration of criminal history and finalizing all paper work. | HR | |
| Contact unsuccessful applicants (interview and no interview). | HR | |
RISK ASSESSMENT: Assessment of Contact and Activities with Children

### Assessing Contact with Children

(Add name of Program/Department)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Approximate number of children involved</th>
<th>Types of children in school/out of school, living on street, disabled, trafficked, male, female</th>
<th>How often staff/volunteers interact with the children</th>
<th>What kind of interaction?</th>
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<td>Daily/Overnight/Weekly/Monthly</td>
<td>one on one, in groups only, supervisor in shelter, facebook, on the street, counseling, sports coach, etc.</td>
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Completed by: ___________________________  Date: ___________________________

### Assessing Risk to Children

(Add name of Program/Department)

<table>
<thead>
<tr>
<th>Type of activity</th>
<th>Possible risk to children</th>
<th>Possible consequences (what harm could result?)</th>
<th>Steps to Reduce these risks</th>
<th>Who is responsible?</th>
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