



Australian Government
Department of Foreign Affairs and Trade



DFAT CHILD PROTECTION GUIDANCE NOTE ESTABLISHING CHILD PROTECTION RISK CONTEXT

January 2018

DFAT CHILD PROTECTION GUIDANCE NOTE

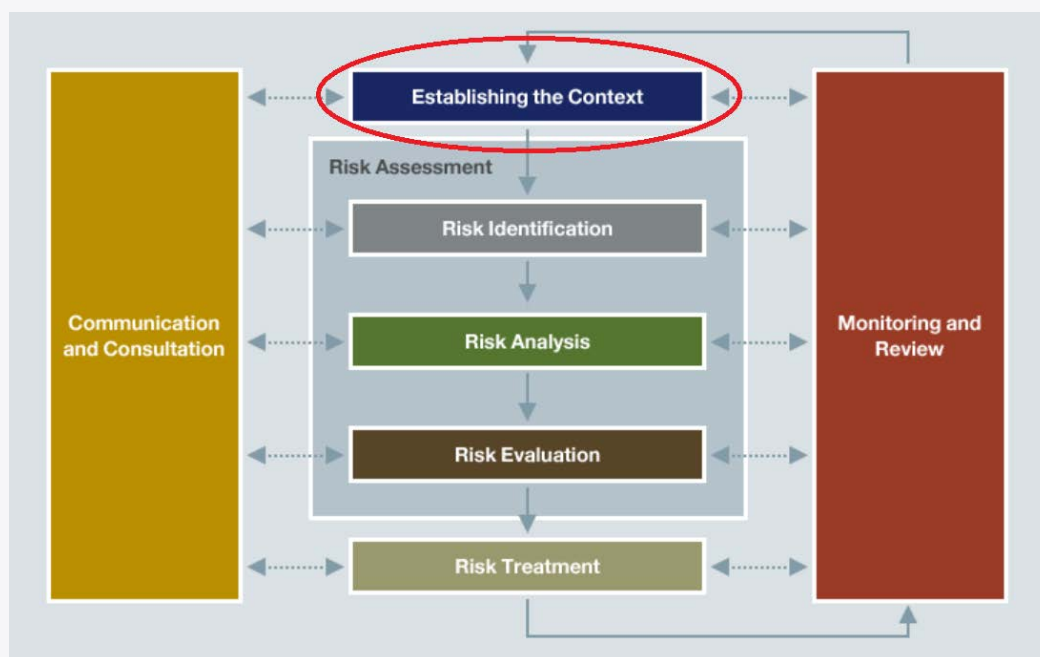
ESTABLISHING CHILD PROTECTION RISK CONTEXT

PURPOSE

This guide will assist DFAT staff and partners or recipients undertaking a program, activity or grant (activity) funded by DFAT in establishing the **child protection risk context**. This will then determine if an assessment of child protection risk at the activity level is required and/or whether the organisation must apply the nine minimum child protection standards at Attachment A of the [DFAT Child Protection Policy 2017 \(CPP\)](#). This guidance supports the CPP and is consistent with DFAT's approach to risk management.

BACKGROUND

Establishing the context of risk is the **first step** in the risk management process and is circled in the diagram below.



DFAT staff and partners or recipients must ensure child protection risk is considered, and is managed in accordance with [DFAT's risk management practices](#). Child protection risks must be assessed as part of standard risk management processes at design, implementation, monitoring and evaluation – and managed throughout the lifecycle of the activity.

There are common **child protection risk context** areas that DFAT staff and DFAT funded partners or recipients can review to determine the likely risk level of an organisation and the level of contact between staff and children that will take place under the activity.

Risk levels included in this document are modelled on the DFAT Risk Matrix and follow the principles of the [International Standard on Risk Management \(AS/NZ 31000:2009\)](#).

‘High’ Risk Activities and Organisations

Activities can be ‘high’ risk for a number of reasons. This can be due their nature, their location, political or cultural sensitivities and/or the organisation/s involved etc.

In addition, DFAT may be engaging in a low risk activity with an organisation, however, if that organisation is deemed ‘high’ risk (e.g. they undertake other programs that work directly with children so are considered child focused), then a child protection risk assessment must be conducted before an agreement or contract is entered into. The DFAT minimum child protection standards at Attachment A and B of the CPP are applied to manage the risk. Risk monitoring must be conducted throughout the engagement for ‘high risk’ organisations.

ESTABLISHING THE CHILD PROTECTION RISK CONTEXT

There are three steps summarised below that are used to establish the **child protection risk context**. Once you have completed the three steps you can establish the overall potential **child protection risk context** and determine whether a child protection risk assessment is required and whether DFAT’s nine minimum child protection standards need to be applied. Below is an overview of the steps.

Step 1: Does the activity involve **working with** children or **contact with** children?

Step 2: Is the organisation **child-focused** and what child protection controls¹ are currently in place?

Step 3: Based on the outcomes of the first two steps, determine the Child Protection Risk Context. Is an assessment of child protection risk required? Does the organisation need to apply all or some of DFAT’s nine minimum child protection standards?

Note: All three steps must be undertaken. Details of these steps follow.

¹ Child protection controls may include but are not limited to, organisations undertaking child safe recruitment practices such as criminal record checks, ensuring all staff sign a Child Protection Code of Conduct etc. Controls are applied to reduce the likelihood of a risk taking place.

Step 1: Does the activity involve working with children or contact with children?

There are two parts to this step:

Part A – Determine the level of contact with children (e.g. nil, contact or working)

Part B – Assess the Activity Risk

The definitions at the end of the document can assist with answering Part A and B.

Step 1: Part A – What is the level of ‘working with’ or ‘contact with’ children at the activity level? Complete the worksheet by adding a Yes or No response.		
1. Contact with Children - Assessment (No = nil contact)		
Inherent risk	Personnel will be deployed internationally (outside their usual country of residence)?	
	Personnel will be working in a remote and/or rural location?	
Degree of Isolation	Involves being alone with children? (not frequently enough to be working with children)	
	Involves activities that are away from organisation location	
	Involves meeting one-on-one with children? (not frequently enough to be working with children)	
	Involves unpredictable or remote settings?	
Online contact or access to personal details	Involves direct one-on-one or group access to children online?	
	Involves supervising child-to-child online contact?	
	Involves online access to a child’s or children’s personal and/or confidential information?	
	Inadequate/missing safe options for children to report unwanted attention or inappropriate behaviour by others?	
	Involves educating children and supporting adults on cyber safety?	
2. Working with Children - Assessment		
Vulnerability of child/children	Engages with children whose true or cognitive age impacts on their ability to protect themselves?	
	Engages with children who have challenges that contribute to their vulnerability? (e.g. psychological, situational)	
	Engages with children who do not have many support systems?	
Degree of physical contact	Involves demonstrating a skill to children?	
	Position involves need for physical contact/touching children?	
	Involves providing a personal service? (e.g. washing, dressing, toileting)	

Working with Children – Assessment (continued)		
Degree of monopoly	Monopoly on provision of goods and/or services <ul style="list-style-type: none"> • Medical? • Food distribution? • Career training (sports/musical)? 	
Degree of supervision	Involves personnel having unsupervised contact with children?	
	Activities/engagement with children is not observed or monitored?	
	Insufficient number of trained staff to supervise activities/engagement with children?	
Degree of trust	Involves developing close, personal, long term relationships with children?	
	Involves transporting children?	
	Involves one or more of the following: One-on-one supervision, overnight supervision, out of town activities, advising or offering guidance to children or spending extended periods of time with children e.g. camps?	
	Contributes to important decisions regarding the future of children?	
Access to Property	Has access to personal/confidential information?	
	Adult has a perceived or actual level of authority? (from child perspective)	
Skills and knowledge required	Requires specific skills, knowledge, qualifications or service eligibility requirements to undertake a child related position?	
Child labour	Possibility that activity will lead to the employment of children?	
	Possibility that activity will lead to the removal of children from school?	
	Possibility that activity will lead to children being employed in hazardous work?	
Vulnerability of parent/carer	Engages with parents whose true or cognitive age impacts on their ability to protect their children?	
	Engages with parents who have challenges that contribute to their ability to provide care? (e.g. psychological, situational)	
	Engages with parents who do not have many support systems?	
Vulnerability can include:	Physical and mental disabilities, homelessness, child sex workers or parents who are sex workers, children and families impacted by disasters, displaced, migrants, refugees and asylum seekers, children in contact with the law, children that have been subject to trafficking, orphans, unaccompanied minors and the very young?	

Step 1: Part B – Assess the Activity Risk

Based on your responses in Part 1, identify the inherent risk of the activity using the table below. Activity Risk is the level of potential risks to children due to the nature of the activity (working with children) or the design of the activity (design of the activity introduces risks to children).

LOW	Nil contact	<input type="checkbox"/>	The activity does not involve any individuals working in-country (you answered No to all questions in Step 1 Part A)
MODERATE	Contact with Children	<input type="checkbox"/>	The activity involves or may involve contact with children – this includes any work in-country, remote or rural area. (you answered Yes to <u>any</u> questions in 'Contact with Children - Assessment' but 'No' for all questions in 'Working with Children - Assessment')
HIGH	Working with Children	<input type="checkbox"/>	The activity involves working with children (you answered YES to <u>any</u> questions under 'Working with Children - Assessment')

Note: If the activity is determined to be 'working with children' then an assessment of child protection risk is required and the organisation must apply the nine minimum child protection standards (at Attachment A and B of the DFAT Child Protection Policy 2017). DFAT requires its funded partners to build on these minimum standards as appropriate to their activity or organisation.

An individual contractor engaged in a 'working with children' activity is not required to have a child protection policy. However, they are required to have a current criminal history check, to sign a code of conduct that applies and builds on (where appropriate) DFAT's Child Protection Professional Behaviours and provide evidence of their commitment to child protection. This would include an assessment of child protection risks and attending child protection training.

Step 2: Is the organisation child-focused and what child protection controls are in place?

There are two parts to this step:

Part A – Assessment of Organisation’s Focus on Children and strength of child protection systems in place

Part B – Assess the Organisation Risk

Step 2: Part A – Assessment of Organisation’s Focus on Children and Strength of Systems		
Complete the worksheets below and add a Yes/No response against each question under ‘Focus’ and ‘Systems and Controls’		
Focus - A child-focused organisation is an organisation that answers ‘yes’ to any of the questions below ² .		
Types of activities	Does the organisation across all of its operations provide any direct activities/services for children?	
	Does the organisation provide any humanitarian relief?	
Business model/services provided by organisation	Organisation provides Residential/Orphanage/Shelter services?	
	Organisation uses a child sponsorship model?	
	Organisation allows sponsors to visit with children?	
	Organisation is part of a ‘voluntourism’ ³ program?	
	Organisation requires technical experience/expertise to implement child related services?	
	Organisation uses children and/or images of children as a ‘product’ for fundraising activities?	

Note: If an organisation is ‘child-focused’ then an assessment of child protection risk is required and the organisation must apply or build on the nine minimum child protection standards at Attachment A and B of the DFAT Child Protection Policy 2017. This is regardless of whether the level of contact with children is ‘working’, ‘contact’ or ‘nil’. This is due to the increased risk of child abuse and exploitation within a child-focused organisation.

² A yes would indicate that an organisation would need to apply and build on the minimum child protection standards at Attachments A and B in the DFAT Child Protection Policy.

³ Voluntourism is “Volunteer travel, volunteer vacations or voluntourism is travel which includes volunteering for a charitable cause” Voluntourism is a business model that has been shown to be very high risk to children.

Step 2: Part A (Continued)

Systems and Controls - Strength of systems and controls scaled by number of 'yes' responses. Use the scale 0 Yes answers = poor systems, 9 Yes answers = strong systems

Child protection policy and procedures ⁴	Child Protection Policy in place that includes a commitment to preventing a person from working with children if they pose an unacceptable risk to children?	
	Risk management practices in place and include risks to children	
	Recruitment practices, screening completed for all staff, before commencing work?	
	Notifications/Incident reporting procedures in place?	
	Staff and downstream partners receive child protection training?	
	Boundaries for appropriate behaviour/code of conduct are implemented?	
	The organisation's employment contracts contain provisions for suspension or transfer to other duties of any employee who is under investigation and provisions to dismiss any employee after an investigation?	
	Record keeping procedures are in place (meetings, activities, incidents, reports, logs, record of complaints, staff performance)?	
	The organisation ensures their downstream partners (organisations or individuals) comply with the relevant minimum child protection standards?	

Step 2: Part B – Organisational Risk

Organisational risk is the level of potential risk posed by the organisation due to their ability to address child protection risks through their policies, procedures and systems and the type of work the organisation engages in (e.g. if they are a child focussed organisation, their risks will be higher).

LOW	NO FOCUS	<input type="checkbox"/>	Organisation is not a child-focused organisation (you answered No to all questions in Step 1 – Focus)
MODERATE	FOCUS & STRONG SYSTEMS	<input type="checkbox"/>	Organisation is a child-focused organisation and has good child protection systems in place (You answered Yes to any question in Step 1 Focus and had a majority of Yes answers to the questions under systems and controls)
HIGH	FOCUS & POOR SYSTEMS	<input type="checkbox"/>	Organisation is a child-focused organisation and has poor or nil child protection systems in place (You answered Yes to any question in Step 1 Focus and had a majority of No answers to the questions under systems and controls)

⁴ A no response to all or most questions would indicate a high-risk organisation due to poor systems. A yes response to all or most questions would indicate strong systems

Step 3: Establish the overall child protection risk context

Establish the overall child protection risk context to determine whether an assessment of child protection risk and the application of the minimum child protection standards are required.

Once you have completed steps 1 and 2 you can establish the overall risk context by placing the results of each activity in the appropriate field below:

Organisation level of contact with children and systems in place (organisation inherent risk from Step 2)	Activity Level of Contact with Children (activity inherent risk from Step 1)		
	NIL (LOW)	CONTACT (MODERATE)	WORKING (HIGH/VERY HIGH)
NO FOCUS (LOW)	<input type="checkbox"/> No further assessment required	<input type="checkbox"/> Assessment of child protection risk required Apply the appropriate minimum child protection standards to manage the risk	<input type="checkbox"/> Assessment of child protection risk required Apply and build on all nine DFAT minimum child protection standards Consider the need for technical expertise
FOCUS & STRONG SYSTEMS (MODERATE)	<input type="checkbox"/> Assessment of child protection risk required. Apply all nine DFAT minimum child protection standards	<input type="checkbox"/> Assessment of child protection risk required Apply the appropriate minimum child protection standards to manage the risk	<input type="checkbox"/> Assessment of child protection risk required Apply and build on all nine DFAT minimum child protection standards
FOCUS & POOR SYSTEMS (HIGH/VERY HIGH)	<input type="checkbox"/> Assessment of child protection risk required. Apply and build on all nine DFAT minimum child protection standards	<input type="checkbox"/> Assessment of child protection risk required Apply and build on all nine DFAT minimum child protection standards	<input type="checkbox"/> Assessment of child protection risk required Apply and build on all nine DFAT minimum child protection standards Consider the need for technical expertise

Low Risk	Moderate Risk	High Risk	Very High Risk
----------	---------------	-----------	----------------

If the matrix indicates an assessment of child protection risk is required

Implementing Partners:

- Conduct an assessment of the child protection risks within the organisation and activity using the organisation's own risk management processes and documentation. A child protection risk assessment requires the partner to assess all possible child protection risks within the activity.⁵
- Show evidence to DFAT that the assessment has been completed and documented.
- For high or very high risk contexts, consider whether you should get someone with child protection expertise to assist with the risk assessment and policy and procedure development.

DFAT Staff:

- Conduct an assessment of child protection risks at design, tender, contract negotiation, implementation, monitoring and evaluation for the lifecycle of the activity, in accordance with the *Aid Programming Guide* and the *Risk Management for Aid Investments Better Practice Guide*.
- For high or very high risk contexts, consider the need for child protection expertise to assist with the risk assessment.

If the matrix indicates a requirement to apply the appropriate minimum child protection standards to manage the risk

- The minimum child protection standards put in place will depend on the risks identified in the risk assessment. DFAT would expect at a minimum that implementing partners:
 - Undertake a risk assessment
 - Have appropriate recruitment and screening practices in place
 - Have clear reporting procedures and a requirement to immediately report any suspected or alleged instances of child abuse, exploitation, harm or child protection policy non-compliance to the DFAT Conduct and Ethics Unit via childwelfare@dfat.gov.au
 - Training for personnel in child protection awareness and their obligations to protect children and report concerns

Identify and record who completed the steps above and when the child protection risk assessment (if required) will be completed.

⁵ See DFAT's Child Protection Guidance Notes for guidance on risks and mitigation measures within certain sectors <http://dfat.gov.au/childprotection> or contact the Child Protection Compliance Section on child.protection@dfat.gov.au.

DEFINITIONS

Working With children	<p>Working with children means being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid work.</p> <p><i>The risks of child exploitation and abuse generally increase with the frequency of contact, meaning that working with children is a higher risk than contact with children.</i></p>
Examples	<p>Activities or services for children:</p> <ul style="list-style-type: none"> • Disability service • Cultural youth exchange • Residential care • Child protection services • Justice facilities for children • Childcare services • Child education services, Children in sports • Child accommodation services • Health services, Access to Sexual & Reproductive Health • Counselling and support services for children • Emergency response, Humanitarian assistance to children and families
Contact With children	<p>Contact with children means being engaged in an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment. This means physical contact, face-to-face contact, oral communication, written communication or electronic communication.</p> <p><i>Contact covers contact with children in the community not associated with the work being performed.</i></p>
Examples	<ul style="list-style-type: none"> • Any international work, in particular working in remote/rural locations • Oral and written communication (including electronic communication) relating to a child • Access to data relating to a person under 18 • Public diplomacy, official functions, visits or other communication activity involving photography, filming, videoing or social media activity where children are present • Visiting premises e.g. schools, health or residential facilities, that provide services to children • Any community consultation (data collection, surveying, training) • Women and Gender focussed activities • Health Sector Programs