

CHILD PROTECTION POLICY

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I. Policy Statement

Children and Young People's wellbeing is important to KOTO. KOTO wants to see children and young people thriving regardless of their gender, sexuality, ethnic grouping, faith, culture, family income, disability or any other defining feature. This is why we are committed to ensuring that all children and young people can access quality vocational education. KOTO recognizes the rights of all children to have their welfare both safeguarded and promoted as enshrined within the United Nations Convention on the Rights of the Child (UNCRC). KOTO believes that children and young people should never experience abuse of any kind and KOTO acknowledges that it has a responsibility to promote the welfare of all children and young people and to keep them safe. KOTO recognizes that, as an organisation working within the vocational education sector, our work has an impact on children. KOTO wants to be a leader in improving non-state education and KOTO recognises that the protection and wellbeing of children is a core tenet of quality improvements. KOTO seeks to ensure that Staff and Representatives have the tools and resources to have robust practices in place to assess potential or associated risks, prevent and respond to child abuse and that we are following best practices in our program design, delivery and organisational development. KOTO is committed to working with our Staff, Volunteers, Members and Partners in order to safeguard and protect children and recognise that it is essential to work in Partnership with children, young people, their parents, guardians and other agencies when promoting children and young people's welfare. While this policy focuses on Child Protection specifically, KOTO understands that it has a wider safeguarding responsibility to anyone who works with or for KOTO. As well as having a zero tolerance for child abuse, we also have a zero tolerance for bullying, harassment, sexual exploitation and abuse of any person. We are committed to ensuring the safety and wellbeing of everyone involved with KOTO.

ii. Purpose of this Policy:

- This policy is publicly introduced to employees on recruitment and all parties participating in KOTO programs.
- Protect children and young people that KOTO represents or are under KOTO's care.
- Provide all KOTO Representatives with the overarching principles that guide our approach to child protection.

iii. Laws and related regulations:

This policy refers to:

- All related laws of the Socialist Republic of Vietnam on Child protection
Children's Law - Law No.102/2016/QH13 National Assembly Socialist Republic of Vietnam, viewed 18/04/2022.
- UN Convention on the Rights of the Child (1989)

1. Applicable:

All personnel including KOTO Staff, Representatives, Partners, Volunteers, Interns, Alumni and all Trainees. Including all suppliers, individuals and organisations with whom KOTO directly enters into an Agreement to deliver its objectives, including but not limited to

- Suppliers of goods and services. Contractors and service providers including hospitality industry partners who accept trainees for internships, consultants, researchers, advisers and other directly contracted individuals that may have contact with children
- Other non-Government Organisations (NGO), Civil Society Organisations (CSO). Donors, funders and sponsors

1.1 Definition – Children and Young Person (YP)

KOTO uses the United Nations Convention on the Rights of the Child (UNCRC) definition of a child, which is any person under the age of 18, regardless of whether a nation's laws recognize adulthood earlier. Young Person is usually defined as a person between the ages of 12-25 years.

2. Child Protection:

The measures and structures to prevent and respond to abuse, neglect, exploitation and violence affecting children. KOTO believes that a child or young person should never experience harm of any kind. This policy demonstrates our commitment to safeguarding children from harm and details the measures and structures KOTO puts in place to prevent and respond to any form of child abuse. This policy applies to all Representatives working on behalf of KOTO, makes clear to those within the organization, and to Partners of the behaviors and actions that are required in relation to the protection of children.

2.1. Maintaining Commitment through:

- **Raising awareness** – we ensure that KOTO Representatives, Partners and Members are aware of the need to keep children safe
- **Preventing** - KOTO that KOTO representatives minimize risks to children through awareness, good practice and appropriate training.
- **Responding** - we ensure that all KOTO representatives and partners take appropriate actions to ensure child's wellbeing, concerns and safety is paramount regarding a reporting of a possible abuse.
- **Recording** - KOTO is consistent and clear in our recording and ensures that KOTO representatives and partners record incidents they have been made aware of.
- **Reporting** - we ensure that all KOTO representatives and partners understand KOTO's procedure when concerns arise regarding child abuse concerns.
- **Referring** – KOTO will ensure appropriate and timely referrals to statutory agencies in response to concerns regarding possible child abuse.

2.2. KOTO endeavors to keep children safe by:

- Setting an organisational culture that prioritises safeguarding, and acts transparently so that it is safe for those affected to come forward and report incidents and concerns with assurance that they will be handled sensitively and properly
- Valuing, listening to and respecting them.
- Adopting Child Protection Policies and practices including a Code of Conduct for representatives
- Requiring KOTO representatives to read the Child Protection Policy and Code of Conduct and sign that they understand and agree.
- Providing effective management for KOTO Representatives through supervision, support and ongoing training.
- Recruiting KOTO representatives safely, ensuring all necessary checks are made.
- Requiring Partner organizations to confirm they have appropriate Child Protection policies in place and requiring that any Child Protection incidents prior to, or while undertaking work for KOTO are reported to KOTO.
- Sharing information about child protection and good practice with representatives as part of their induction and ongoing training.
- Sharing child protection concerns with relevant agencies and organizations in the country where any abuse is suspected or alleged to have taken place.

- Dealing with all concerns and allegations of abuse seriously and responding appropriately, including informing the relevant appropriate agencies.
- Ensuring that any staff member found responsible for a breach of the child protection policy faces disciplinary action, including, in serious cases, dismissal.

3. Awareness of wider responsibility:

KOTO is aware of its wider safeguarding responsibilities including the safeguarding of representatives of KOTO. We are committed providing a safe and inclusive working environment for representatives and we will achieve this by:

- The use of risk assessments to ensure that where potential risk to a representative is identified, appropriate measures are put in place to mitigate such risk; and
- The implementation of policies and procedures designed to ensure the safety and well-being of representatives.

3.1. Procedural outlines:

What you should do if, in the course of your work for KOTO, you are informed of a Child Protection allegation or suspect abuse. The procedure should provide clear direction to the KOTO management, KOTO Board and relevant agencies, who are called upon to deal with disclosures, suspicions and allegations and to manage investigations that may result from them.

3.2. The aims of this procedure are:

- To ensure that children are protected and supported following a disclosure, suspicion or allegation of abuse.
- To ensure that there is a fair, consistent and robust response to any disclosure, suspicion or allegation made, so that the risk posed to other children by an abusive individual is managed effectively.
- To facilitate an appropriate level of investigation into the disclosure, suspicion or allegation, whether they are said to have taken place recently, at any time while someone has been working with or for KOTO or prior to a person's involvement with the KOTO.
- To ensure that KOTO continues to fulfill its responsibilities towards its representatives who may be subject to such investigations.
- To ensure that KOTO employee's and representatives are able to continue in their role if they have been at the center of allegations that are unfounded or deemed to be malicious in origin.

3.3. This procedure applies to:

- Any KOTO representative who receives a disclosure of abuse, suspect's abuse or to whom an allegation of abuse has been made while in the course of their work for KOTO.
- Anyone in a position who may be required to deal with such allegations and manage investigations that result from them.

4. Serious incidents:

In the case of a serious incident, managers and relevant authorities and agencies should be contacted immediately in accordance with child protection guidelines and KOTO's policy. The survivor's parents, guardian or authorised caregiver should also be contacted in line with child protection policy. Confidentiality is paramount to protect the child. **(See to appendix 1.0 for more details)**

4.1. Incident identification and reporting guidelines: The guidance and procedures below, together with the forms provided in the appendices provide the framework and mechanism for incident identification and reporting. Guidance can also be sought from the KOTO and relevant agencies. The simplest way to remember the procedure for Child Protection incidents, suspicions, concerns or disclosures is the 5R's: Recognise, Respond, Record, Report, and Refer.

4.2. Recognise:

Child abuse includes physical, sexual and emotional abuse and neglect, bullying, child labor, domestic/family violence and exploitation including commercial sexual exploitation. Both boys and girls can be the victims of child abuse. Child abuse can be inflicted on children by men or women, or by young people themselves. In some cases, professionals and other adults working with children in positions of trust abuse children. Child abuse takes place not only within the family but also outside the family, including institutions, at work, on the streets, in war zones and emergencies.

Sexual abuse - Is the involvement of a child in sexual activities, whether or not the child is aware of the incident occurring. They may also include noncontact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Adult males do not solely perpetrate sexual abuse. Women can also commit acts of sexual abuse, as can other children

Physical abuse - Is the intentional use of physical force that directly or indirectly causes a risk of/ or actual injury to a child. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing non-accidental physical harm to a child. Physical harm can also be caused when a parent or caregiver fabricates the symptoms of, or deliberately induces, illness or temporary, permanent injury or disability of a child.

Emotional abuse - It involves doing harm to a child's emotional, intellectual, mental or psychological development. This may occur as an isolated event or on an ongoing basis. Emotional abuse includes but is not limited to any humiliating or degrading treatment, failure to meet a child's emotional needs, and rejecting, ignoring, terrorizing, isolating or confining a child

Neglect - Includes but is not limited to failing to provide adequate food, sufficient or seasonally appropriate clothing and /or shelter. Neglect is also failing to prevent harm; failing to ensure adequate supervision; failing to ensure access to appropriate medical care or treatment or providing inappropriate medical treatment (e.g. administering medication when not authorized); or failing to provide a safe physical environment (e.g. exposure to violence, unsafe programming location, unsafe sleeping practices, releasing a child to an unauthorized adult, access to weapons or harmful objects, failing to child-proof a space that children will occupy.

Child exploitation – Child exploitation refers to the use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child. These activities are to the detriment of the child's physical or mental health, education, finance, moral or social-emotional development. It covers situations of manipulation, misuse, abuse, victimisation, oppression or ill-treatment.

Child Labor - is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical, mental development and their learning.

Exposure to Family Violence - Family/domestic violence occurs when children and young people witness or experience the chronic domination, coercion, intimidation and victimization of one person by another through physical, sexual or emotional means within intimate relationships (adapted from Australian Medical Association definition).

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).

Vulnerable Children - Children who are particularly vulnerable to abuse, such as children with physical and mental disabilities, homeless children, child sex workers and children impacted by displacement, disaster, emergencies or war. Child

Pornography - In accordance with the Optional Protocol to the UNCRC child pornography” means, any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

Child-Sex Tourism - It defines as the sexual exploitation of children by men or women who travel from one place to another, usually from a richer country to one that is less developed, and there engage in sexual acts with children.

Online Grooming - The act of sending an electronic message with indecent content to a recipient whom the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

5. Awareness of Disclosure of Child Abuse:

Child abuse can occur individually or together. The perpetrator of abuse is most often someone known to the child. This could, for example, be a member of staff or a family member. There is further guidance on how to recognise abuse; for more on signs and symptoms ([see appendix 1.1.](#)) You may become aware of abuse in any of the following ways:

- A child discloses to you that they are being or have been abused.
- You suspect that a child is being or has been abused or observe behavior that causes concern.
- You are concerned, or made aware, that a child is involved in high risk activity.
- If a direct allegation of abuse is made against a KOTO staff or Representative, Partner or Member. · If KOTO is informed by the police or another statutory authority, or other entity that a Representative or Partner is the subject of an investigation or allegations.
- Information emerging from the screening of a KOTO check, suggests that a Representative may have committed an offense or been involved in an activity that could compromise the safety of the children they come into contact with through KOTO.
- Representative, Partner or Member informing KOTO that they have been the subject of allegations, have harmed a child, or committed an offense against (or related to) a child. If you hear, or suspect, that a child is being abused or is at risk of being abused, even if the truth of the disclosure is uncertain, you must respond in accordance with these procedures and report it to KOTO management.

6. Reporting and response

KOTO will implement the following Reporting Process for breaches of the Child Protection Policy, or when reporting a concern of child exploitation and abuse allegations, and code of conduct and policy non-compliance:

Mandatory Reporting: It is mandatory for all KOTO staff and associated personnel to report incidents, concerns, exploitations or allegations of child abuse/breach of the Child Protection Policy, without exception, within 24 hours of becoming aware. These reports should be made directly to the Child Protection Focal Point (CPFP) in the relevant office or program. The CPFP will immediately inform the management team at KOTO, in addition to taking the necessary measures.

Best Interest of the Child: The Best Interest of the Child is the primary consideration in any response. The first step is always to ensure the child is safe and any needs are taken care of.

Confidentiality: Confidentiality of reporting is ensured to protect the identity of the child or children involved, the whistle-blowers, and alleged perpetrators. All details of the reporting process and investigation process must be kept confidential, and only shared with those relevant (authorities and donors, if required). Provisions will be made for the protection of the person reporting an issue or concern if they have a genuine fear for their physical safety, but the case still must be reported.

Notification: The KOTO CPFP is responsible for informing the relevant donors including DFAT as per their requirements. In addition, the KOTO CPFP is required to inform the families or/and guardians of the child/children about the incidents.

Integrity of Reporting Process: Upon reporting, the CPFP and Chief Executive Officer, as well as the Head of Departments will be called to review the report, inform the authorities (if deemed safe to do so) and assist the authorities with their investigation. KOTO applies procedural fairness whilst any investigation is being conducted.

Outcomes of the Investigation: There are three potential outcomes of an investigation:

- The incident is a substantiated case of child abuse and will lead to dismissal or end of contract.
- The case of abuse cannot be substantiated, upon which further action will be decided.
- The allegation or suspicion is proven to be untrue. All those involved will be informed and if there is a suspicion the report was made with malicious intent, this will be investigated

When reporting an incident, the KOTO CPFP is required to remain calm and reassured to note all information carefully, using the right incident report template. Make careful notes of what was said by you and the other person as soon as possible after the event, and/or complete the form in [Annex 2](#). This should be completed within 24 hours.

7. Referring:

The Ladder of Concern below summarises KOTO's referral response depending on the level and seriousness of the concern. With the exception of when a child is in immediate danger when you may need to contact the emergency services, it is KOTO's responsibility to act immediately on a report, and definitely within 24 hours of

receiving it. Referrals should be made in line with the relevant law and guidance of Vietnam and KOTO's code of conduct. Any allegation involving a foreign national (whether it occurred in this country or overseas) should be reported to the authority of that country.

Rung ladder: Rating system 1 -10 with 10 being the highest concern.

<p>Police intervention and relevant agencies. Concerns Level High: 9-10</p>	<p>Rung 4: Urgent: Child is thought to be in immediate and serious danger. Call police emergency number (111). Then follow the normal reporting route – record and share with KOTO and relevant agencies.</p>
<p>Medium – refer to statutory agency Concerns Level Medium: 6-8</p>	<p>Rung 3: Referral: It has been established that there is a problem and/or a disclosure has been made. Record and share with KOTO and relevant agencies.</p>
<p>Medium Low, enquire and discuss. Concerns Level Medium/Low: 4-5</p>	<p>Rung 3: Referral: It has been established that there is a problem and/or a disclosure has been made. Record and share with KOTO and relevant agencies including DFAT and sponsors/donors if required.</p>
<p>Low risk, Log it and/or seek advice. Concerns Level Low: 1-3</p>	<p>Rung 1: Low-level concern: A problem or behavior has been noticed. Record and share with KOTO. If it relates to KOTO's Representative, the KOTO management may speak with them. If it relates to staff/trainees in a Host Organisation (training partners, hospitality industry partners while trainees are on internships), KOTO will share the information with their designated person.</p>

8. Investigating Allegations:

Allegation against a KOTO's Staff, Representative or Partners, Depending on the nature of the allegation, there may be three types of investigation:

- A criminal investigation (external)
- A child protection investigation (external)
- A disciplinary or misconduct investigation (internal).

The results of any police or child protection investigation will influence and inform any disciplinary investigation, but all available information will be used to reach a decision.

8.1. Possible suspension:

Where a suspension is necessary to allow an investigation to happen. Where suspension is being considered, KOTO must arrange to speak with the Staff or Volunteer that same day. The Staff or Volunteer will be advised to seek the advice or assistance of a professional or friend. The Staff or Volunteer will be informed that an allegation has been made and that, at the conclusion of the interview, suspension might occur. It must be made clear that the conversation is not a formal disciplinary hearing but is for the purpose of putting forward a serious

matter, which may lead to suspension and further investigation. The Staff or Volunteer must be invited to respond. Full notes must be taken of the interview and the Staff or Volunteer invited to read and sign them as a true record after the interview. A copy of the notes will be given to the Staff or Volunteer. The Staff or Volunteer must be invited to identify any persons who may have information relevant to the investigation. These names must be added to the list of those to be interviewed.

8.2. Allegations:

Investigation into allegation if, as a result of the conversation, KOTO considers that suspension is necessary along with a full investigation of the allegation, the member of Staff or Volunteer must be advised that s/he is suspended from duty. Written confirmation of the suspension must be given within one working day, giving reasons for the suspension. A decision will be made about whether an internal or independent investigation is necessary or whether to wait for the outcome of investigations by external agencies. Any internal investigation will be conducted by KOTO management.

8.3 Reinstating:

A staff member after suspension based on the findings of any internal, independent or external investigations, KOTO will decide whether the staff member or volunteer should be reinstated and if so how this can be sensitively handled. This may be a difficult decision, particularly where there is insufficient evidence to uphold any action by the police. In such cases, KOTO will reach a decision based upon the available information, which could suggest that on a balance of probability it is more likely than not that the allegation is true. The welfare of the child will remain of paramount importance throughout.

8.4 Past Allegations:

In a case of previous abuse made some time after the event (e.g. by an adult who was abused as a child or by a member of Staff who is still currently working with children). Where such an allegation is made, KOTO will follow the same process as detailed above. This is because other children may be at risk from this person.

8.5. Concerns or allegations relating to Members or Partners:

Should KOTO Representatives be made aware of allegations of current or historic abuse that relate to Members and Partners, they should follow the reporting process above and KOTO will contact the Member or Partner organisation to report the concern. KOTO will record the steps the organisation will take (or has taken) to deal with the concern. KOTO may decide to inform the relevant authorities directly depending on the nature and level of the concern. The KOTO Board will discuss and agree what level of relationship to maintain with that organisation based on how they respond to the report.

9. Confidentiality:

The welfare of the child is paramount. Privacy and confidentiality should be respected where possible but if doing this leaves a child at risk of harm then the child's safety has to come first. Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only. This includes the following people; the parents of the person who is alleged to have been abused (unless the allegation is against them); the person making the allegation; the relevant local/national authorities and KOTO Board. Information will be stored in a secure place with access limited to designated people, in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

10. PURPOSE OF GUIDELINES:

These guidelines are designed to assist all staff and associates in their commitment to protect children from abuse or exploitation, promote the rights of children and work with children to ensure their best interests are promoted.

They also aim to protect staff and associates by setting clear boundaries for their work with children and communities. The Child Protection Guidelines implement the Child Protection Policy & Code of Conduct by providing procedures, templates and risk management processes to support staff and associates in meeting their obligations in regards to the Policy and Code. The purpose of the guidelines is to embed child protection in the daily operations of KOTO and ensure best practice in child protection.

10.1. The Guidelines aim to:

- Establish a proactive culture of child protection
- Maintain a child safe and child friendly environment
- Clarify roles and responsibilities to meet these standards

10.2. Guiding principles:

KOTO commitment to child protection is based on the following principles

- Promoting and protecting the best interests of children at all times
- Zero tolerance of child abuse – mandatory reporting of confirmed or suspected child abuse
- Child protection is a shared responsibility between the organization, its partners and the communities in which it works
- The views of children and young people will be used to inform child protection policy and program development

11. KOTO's child protection system:

KOTO child protection policy change protocols

- Reviewed annually or when changes in Domestic and/or International laws on child protection impacting KOTO
- When implementing new requirement for new projects
- Advice from KOTO internal teams, Stakeholders, government branches and wider community

To act on any policy changes, the KOTO's Department of Human Resources will amend and update the policy and submit it to KOTO's Board for consideration

Safe recruitment and partnership selection are ensured to find individuals and institutions to comply with the child protection policy. (See section(15) for more information)

Child protection Risk register is made for programs with children participation and apply relevant measures to ensure safety for children in program activities

The refresher training on KOTO policies, conducted at regular intervals or when policy changes occur for staff, trainers, contractors and volunteers.

In addition to the system, KOTO provides a hotline that is available 24/7, under the management of Administration staff during business hours and security guard after business hours. The purpose of the Hotline is for trainees to seek emergency support if they cannot reach the Foundation Director's contact. In case the

Foundation Director or a member of KOTO management becomes suspicious in the incident, the trainees are encouraged to report to Vietnam Child -

12. Implementation Plan:

The Child Protection Policy is provided for all newcomers before signing the contract as internal staff, volunteers, interns, and partners and those who work directly or related with KOTO trainees. KOTO I ensure all partner organisations with whom KOTO directly enters into an Agreement to deliver its objectives that have a Child Protection policy in place. In the event that a partner organisation DOES NOT have its own policy, KOTO will ensure that they adopt KOTO Child Protection policy, provide training, monitoring and support. All partner organisations requiring the support of KOTO regarding the Child Protection Policy will need to sign all related documentations.

The department's supervisors/directors are in charge of providing a meeting to clarify the policy before they start to work with trainees.

The Child Protection Policy has been reminded to former staff according to regular appraisals (every 6 months or one year according to their contracts)

It is always noted in the minutes of general meetings and department meetings to remind staff and volunteers. This updated version of Child Protection Policy is to be implemented by the 1st of June 2022.

13. Child Protection is Everyone's Responsibility:

Everyone's prime responsibility is to safeguard and promote the welfare of children and to prevent abuse. All staff and associates must be familiar with the Policy, Code and Guidelines and be aware of the problem of abuse and the risks to children. This means raising any concerns about the safety of children and/or the behavior of adults. It also involves making sure contact with children is consistent with the Code of Conduct

14. Raising Awareness:

KOTO Child Protection Policy, Code of Conduct and Guidelines must be made widely available and publicized to all staff and associates as well as in a child friendly format to children and young people. This will include the use of translation into local languages and pictorial images where required.

The Child Protection Reporting process should be displayed publicly. It is the responsibility of the Program Managers and to ensure these are placed in a prominent position for all to see.

15. Safe recruitment:

KOTO is committed to ensuring that no one is recruited to work with KOTO who may pose a potential risk to children and take full responsibility to everyone including staff, trainees, partner organisation, volunteers and donors to undertake safe recruitment:

KOTO has put in place child safe recruitment, screening, selection and contracting processes. These child safe recruitment guidelines are detailed in the KOTO Child Protection Guidelines and the KOTO code of conduct. In summary, these include: child safeguarding inclusions in job/role advertisements, position descriptions, interviews, reference checking, screening, and contracting.

KOTO requires all staff and associated personnel to comply with the Child Protection Policy and Code of Conduct throughout their period of employment. Failure to do so may result in a transfer to other duties, suspension or dismissal, depending on the nature of the offense.

Criminal behavior will be reported to the relevant authorities as per the Reporting Procedures. Contracts clearly state that adherence to the Child Protection Policy and Code of Conduct is required, and failure to do so will lead to disciplinary consequences, including dismissal. Safe recruitment process is stated below:

- Detailing in all adverts that the applicant must be able to demonstrate a commitment to safeguarding and promoting the welfare of all children
- Shortlisting and interviewing ensuring that applicants are suitable for the job and that they can explain any gaps in their employment history
- Ensuring there are at least 2 interviewers in each interview
- Requiring 2 references for successful applicants in which the referees have to fully answer the questions framed by KOTO, including the performance of previous work, work ethics and any suspicious incidents that are related to criminal and allegations. The referencing process needs to follow two steps:
 - Email: to ask referees to fill in a set of questions via a word documents
 - Phone: to verbally communicate with referees to learn more about the candidates (
- KOTO Human Resources Department holds accountability to ensure this process is done properly.
- Carrying out criminal checks on Staff that may come into contact with children, prior to their engagement, and if necessary, asking for a criminal record check. Requiring an applicant to disclose whether they have been charged with child exploitation offenses.. The procedure includes:
 - criminal record checks before engagement
 - verbal referee checks.
- Receiving evidence of identity, address and the right to work.
- Requiring a health check certificate issued by a registered hospital for any successful candidates before accepting the offer letter.
- Induction to include explanation of safeguarding and child protection procedures and agreement to adhere to these and requiring Staff to sign the Code of Conduct, Child Protection Policy and PSEAH within one week.
- Providing a job description where it contains KOTO's vision missions and details of the role and responsibilities and other requirements.
- Probation period - The probation period is taken for two months, with supervision of the line manager. The staff only sign formal employment contracts after a probation review by line manager and approved by KOTO Chief Executive Officer.

16. Code of conduct:

Any individual or partners who signs a contract with or involved with KOTO's activities use the KOTO Child Protection Policy to - Professional Behaviors as a Child Protection Code of Conduct, which includes but does not limit to: -

- Do not invite or take children to your home/office/private area under any circumstances and for any reasons at any time unless they are approved and supervised by KOTO Management
- Do not give/lend children money or borrow money from them
- Do not use physical punishments or abusive languages. Do not make unnecessary physical contact with children. In case of emergency, show restraint and dignity at all times. If the children can communicate, ask for their and their guardian's consents
- Do not act inappropriately to harass, abuse, sexually provoke, and degrade the dignity of the children by involving child in any sexual activities including paid sexual services.
- Sharing beds is not permitted. In extenuating circumstances sharing of bed is required ex: medical, lack of beds, emergency accommodation or safety concerns, consent must be gained from participants, guardians and managers. A risk assessment to be conducted and a report lodged.
- Do not use computers, mobiles, cameras or devices to record or video children's images without permission of children's guardians' or children's parents. Do not access unhealthy documents about children from any channels
- Never use any computers, mobile phones, video cameras, cameras or social media to exploit or harass children, or access child exploitation material through any medium
- Respect children's rights
- Maintain a transparent and serious relationship between supervisor/trainer with children and students participating in KOTO's programs
- Be aware of and avoid behaviors or activities which might relate indirectly or directly to child labor
- Only interact with children on KOTO premises or program sites. If new situation arises unexpectedly, contact the KOTO Child Protection Hotline for guidance
- Comply with related local laws including child labor laws by not hiring children for assisting house chores which may affect their natural growth and/or deter the children from accessing education and relaxation or harm them physically or mentally.
- Report immediately all allegations, convictions or other crimes related to child abuses that happened before joining or during employment with KOTO or in partnership with KOTO.
- Empower children by discussing with them their rights, appropriate behaviors and what they can do if there is a problem
- Be a good role model on child protection at all times and both on and off the KOTO premises

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 and publishing images in any form.
- Ensure all photos and videos are kept in a secure, password-protected folder or location, accessible only to those with permission.

- Never use photos or film of KOTO's beneficiaries for my personal use, including posting on my personal social media, except when reshaping content from the KOTO social media with approval of the child for the use of the photo.

17. Compliance and checking:

The compliance of policy and related procedure are subject to annual and biannual review, conducted by the Foundation Director, Human resources (HR) and be approved by the KOTO's Chief Executive Officer. The purpose of the review is to ensure any changes are updated and being shared with related stakeholders. All policies and procedures are subject to review:

- Annual review
- Biannual review
- And/or if any new and/or a change in relevant legislation is enacted
- Requested by DFAT and other donors/funders if required

Contracts signed with employees and third parties must ensure the enclosure of KOTO Child protection policy compliance statements.

All reports related to the Child protection policy are monitored, supported and managed by the HR department and the Foundation director, who will communicate all information with DFAT, Board members and all other relevant agencies.

18. Annex table:

Annex 1.	Report template	Violation of Child protection policy
Annex 2.	Risk register	Violation of Child protection policy
Annex 3.	Compliance statement	Child protection policy

19. Appendix table:

Appendix 1.0	Serious Incident contacts
Appendix 1.1.	How to recognize Abuse or Exploitation
Appendix 1.2	How to respond to suspicion or disclosure
Appendix 1.3.	Two questions to ask yourself
Appendix 1.4.	How to report suspicion and disclosure

ANNEX 1

INCIDENT REPORT CONTENT – CHILD PROTECTION POLICY

The incident reporter is encouraged to provide the following details:

Full name of reporter:	
Reporter's mobile phone number:	
Child(ren)' name(s) (if known)	
Child(ren)'s age (if known)	
Name(s) of parents or guardian(s)	
Incident location	
Time the Incident happened	
Names and contact of other witness (if known)	
Details of the incidents (how it happened)	
Informed 111	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name and contact number of other agencies in contact (beside 111)	

All information reported will be kept confidential and only provided to 3rd parties as per regulated by Vietnam laws.

ANNEX 2**RISK REGISTER – CHILD PROTECTION POLICY**

This templated should be completed before any activities that may relate to children

Activities	Level of Risk (HIGH, MEDIUM, LOW)	Activities to minimize risks	Person in charge	Timeline

Annex 3**COMPLIANCE STATEMENT TO CHILD PROTECTION POLICY**

I have received, read, understood and committed to comply with the KOTO's Child protection policy.

I am in agreement with the termination of the cooperation between KOTO and me should I violate the KOTO Child protection policy mentioned here.

Full name (BOLD)	
Title	
Organization	
Email	
Mobile number (including regional codes)	
Signature	
Date	

Appendix 1.0. SERIOUS INCIDENT CONTACT DETAILS:

- **Reporting and Response**
- For internal report, reach the KOTO Child Protection Hotline
- **1. Foundation Director**
- Ms. Hoang Thi Hanh
- **Mobile:** +84 (0) 904 505 393
- **Email:** hanh.hoang@koto.com.au
- **2. Trainee service supervisor**
- Ms. Ngo Hong Nhung
- **Mobile:** +84 (0) 988555608
- **Email:** nhung.ngohtihong@koto.com.au
- **For an external report, reach the following hotline for certain cases.**
- **1. Medical Care Service's Hotline**
- Ms. Nguyen Thi Thuy
- **Mobile:** +84 (0)9881500108
- **2. Police's Hotline**
- Mr. Ngo Van Trai
- **Mobile:** +84 (0)868239358
- **3. MOLISA (Ministry of Labour, Invalids and Social Affairs) Hotline**
- **Phone:** 02437737493
- **Address:** No. 75 Nguyen Chi Thanh St. Dong Da district, Hanoi.

Appendix 1.1

How to respond to a Suspicion or Disclosure:

Becoming aware of abuse can cause a multitude of emotional reactions, which are personal to the individual.

Whatever the reaction, it must be responded to in the correct manner, outlined below

- Stay calm
- Listen, hear and believe
- Give time for the person to say what they want
- Reassure them and explain that they have done the right thing in telling you
- Do not promise secrecy. Inform the person that you may have a duty to report the incident or inappropriate behavior as it is in the best interest of the child, but be clear that only the people who need to know will be informed
- Act immediately in accordance with the procedure in this document
- Record in writing as soon as possible using the form in Annex 1. Always make a clear distinction between what the person disclosing actually said and what you may have inferred. Accuracy is paramount in this stage of the procedure
- Never permit personal doubt to prevent you from reporting the behavior/allegation to the KOTO
- Always let the person or child who discloses know what you are going to do next and that you will let them know what happens.

Two questions to ask yourself.

There are potentially two issues that need to be dealt with as a matter of urgency when you become aware of abuse or suspect abuse:

1) Is a child in immediate danger or does she/he need emergency medical attention?

- If a child is in immediate danger and is with you, remain with him/her and call KOTO management or relevant agencies.
- If the child is elsewhere, contact the KOTO management and explain the situation to them.
- If the child needs emergency medical attention, call an ambulance.
- If the child is in need of emergency medical attention, the child's family should be informed that an incident has occurred, that the child has been injured and that immediate steps have been taken to get help, unless the abuse allegations are against them. .

2) Is the person at the center of the allegation working with children now?

- If this is the case, the concern needs to be discussed immediately with KOTO management and relevant agencies. They will agree how to handle the situation and how best to ensure the safety of children. This may include contacting the Police or sensitively removing the Staff Member or Volunteer from contact with children.
- If the allegation is against a KOTO Staff or Volunteer or representatives, KOTO will follow the procedure stated in the 'aims of procedure' section above.
- If the allegation is against someone from another organization, the process in Annex 2 will be followed. The Designated Person at that organization should be informed and should explain how they will address the situation. If there are still concerns contact KOTO management and the Police directly.

Appendix 1.2. How to report a suspicion or disclosure:

It is the duty of anyone who finds out about a possible case of abuse to report it. It is not for you to decide whether or not a suspicion or allegation is true. You should never try to deal with a suspicion, allegation or actual incident of abuse yourself. It may sometimes be difficult to accept that something disclosed in confidence should be passed onto someone else, but the welfare of the child must be paramount and you therefore have a duty to report suspicions, allegations or actual incidents to KOTO or relevant agencies. No matter what happens to a suspicion, allegation or actual incident of abuse, all details must be recorded using the form in Annex 2.

Important information to record includes:

- Date and time of disclosure, suspicion, allegation or actual abuse incident
- Details given to you about the above e.g. date & time of when things occurred
- Details of what action has been taken Recording should be kept factual, with no reference to subjective opinions. When an accusation is made, as much detail as possible should be recorded in writing on the form which you will share with the KOTO or relevant agencies.

As the person recording/reporting the abuse, once you have shared that with KOTO, they are responsible for ensuring that appropriate referrals are made and that the case is followed up appropriately. If you feel you need support to process the situation, please inform KOTO who will ensure it is made available for you. If the KOTO

management is the subject of the suspicion/allegation, the report must be made directly to the relevant appropriate authority.

Appendix 1.3. Code of Conduct

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

I _____ am engaging with Blue KOTO Foundation in the position of _____
I have read KOTO's Child Protection Policy and PSEAH Policy. I understand the responsibilities of all people when working with or around the children and young adults at KOTO, and I will abide by this Code of Conduct at all times.

I understand I must always:

- Treat children and young adults with respect regardless of gender, race, colour, language, sexual orientation, 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 adults.
- Avoid circumstances where my behaviours may be misinterpreted as hostile, neglectful or inappropriate to children and young adults.
- Recognise that children and young adults have a right to make their own independent choices and to give or withhold consent to an activity or service.
- Use computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or young adults, or access child exploitation or abuse material through any medium.
- Safeguard and use KOTO information and resources in a responsible manner which will not place children and young adults at any risk of harm.
- Abide by KOTO's confidentiality agreement to ensure the safety and privacy of beneficiaries and their information at all times.
- Uphold the integrity of KOTO by ensuring that my professional and personal conduct is, and is seen to be, of the highest standard at all times.

I understand that it is inappropriate to:

- Spend excessive time alone with children and young adults away from other people.
- Spend time with children and young adults outside of approved KOTO activities or the requirements of my particular role in the organisation.
- Take children and young adults to my home.

I understand I must never:

- Use physical punishment on children and young adults such as smacking or hitting them.
- Develop intimate or sexual relationships with children and young adults.
- Develop relationships with children and young adults which could in any way be deemed exploitative or abusive.
- Act in ways which may be 'grooming' a child or young adult for abuse, in ways which are abusive or which may place a child or young adult at risk of abuse.

- Use language or behaviour towards children and young adults which is inappropriate, offensive, abusive, sexually provocative, demeaning or culturally inappropriate.
- Sleep in the same room or bed with a child or young adult, unless absolutely unavoidable, in which case I must inform and receive approval from KOTO Management first.
- Do things for children and young adults of a personal nature which they, themselves, can do independently, for example, dressing and undressing or going to the toilet.
- Condone, or participate in, behaviour of children and young adults which is illegal, abusive or exposes them to danger.
- Act in ways intended to shame, humiliate, belittle or degrade children and young adults.
- Discriminate against, or favour, particular children and young adults 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 at significant risk of injury.
- Hire young adults for domestic or other labour through physical threats, psychological coercion, illegal methods, deception or other coercive means.
- Exert undue influence or coercion over a child or young adult's financial affairs or arrangements or misuse or misappropriate his or her property, possessions or benefits.
- Release or discuss any personal or confidential information about suspected or proven child abuse or young adult abuse cases other than with the designated Child Protection Focal Point, CEO's or as per KOTO'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 and publishing images in any form.
- Ensure all photos and videos are kept in a secure, password-protected folder or location, accessible only to those with permission to do so.
- Never use photos or film of KOTO's beneficiaries for my personal use, including posting on my personal social media, except when reshaping content from the KOTO social media.

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 KOTO's Child Protection and PSEAH policy induction training, and other mandatory training that is provided or organised by KOTO.
- Plan and organise my work and the workplace so as to minimise risks to children and young adults.
- 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 and young adults about their contact with staff and volunteers, in order to build their skills in protective behaviours and understanding their rights to protection from abuse and harm.
- Encourage and support children and young adults to raise any protection concerns or incidents.
- Comply with all relevant local legislation and international conventions, including labour laws in relation to child labour and forced labour.
- Immediately report any protection concerns or suspicions in accordance with KOTO’s Child Protection Policy and PSEAH Policy and associated guidelines.
- Immediately disclose all charges, convictions and other outcomes of an offense which occurred before or occurs during my association with KOTO that relate to exploitation and abuse of children and young adults.
- Ensure photographs, films, and videos present children in a dignified and respectful manner and not in a vulnerable or submissive manner.

I have fully disclosed to KOTO any information that is relevant to an assessment of my suitability to work with or near children and young adults. I understand that the responsibility is on me, as a person associated with the KOTO Foundation, to use common sense and avoid actions or behaviors which could be construed as exploitation or abuse of children and young adults. I understand that at all times I can contact KOTO’s management to discuss any aspect of the Child Protection Policy and PSEAH 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 and young adults at KOTO.

Appendix 1.3

KOTO Professional Reference Check Form

Please Note: The candidate identified below has provided permission to KOTO to seek your reference.

Name of Candidate	
--------------------------	--

Position/Assignment being considered for	
Name of referee	
Position of referee	
Referee's organisation	
Referee's contact number or email	
Date of reference	
Reference conducted by	

1. How long have you known this candidate and in what context?
2. Please provide a brief description of the type of work that the candidate was responsible for.
3. Could you describe the applicant's relationship with co-workers, subordinates (if applicable) and with supervisors?
4. How would you describe the candidate's response to hectic or stressful situations in work and life?
5. Please describe: <ul style="list-style-type: none"> ● What were her key achievements? ● What were her strengths on the job?
6. We all have areas in which we need to grow. What are some developmental opportunities for this candidate?
7. What advice can you give me to successfully manage the candidate? What is his/her working style? How readily does she accept new ideas?
8. What was his/her reason for leaving your organization? Would you recommend him/her for the position he/she has applied for? Why or why not?

9. Have the candidates engaged in any of the child exploitation, or criminal acts during the time she/he worked in your organisation? If yes, please give more details of the incidents.

10. Is there anything else that you would like to add or believe we should know before engaging this candidate (e.g. disciplinary issues, non-performance, personal values, etc.)?

Thank you very much for your time and cooperation.