| Instructions: Column 1 lists potential areas of liability for your camp/agency/program. If there is a *possibility* of this risk at your program, check the box. If you aren’t sure if this is a potential risk for you, read Column 2 for some examples. Determine if these things have the possibility of occurring at your location. If so, check the box and complete Column 4. In Column 4, list ways in which you manage, reduce, or eliminate this potential risk to your program. Some examples have been provided in Column 3 to help you think of policies you may already have in place or those you may wish to establish to control the risk. | | | |
| --- | --- | --- | --- |
| Column 1  **Standard of Care Liabilities**  **(tort or third party liabilities)** | Column 2  **Examples or Type of Illness/ Injury or Damage Caused by:** | Column 3  **Sample Techniques to Reduce, Prevent or Control loss** | Column 4  **Identify Risk Control Methods and Techniques and Steps Taken** |
| ❑ Directors and Officers | Decisions made by boards, committees or lack of policies or procedures | Informed decision makers establish policies consistent with common practice or standards of the field |  |
| ❑ Property of Others | Equipment not owned by the camp | Regulations for possession and use |  |
| ❑ Employer/employee relationship  - harassment, slander, discrimination | Inappropriate actions, including criminal behavior, by employer or other staff, wrongful dismissal, invasion of privacy, discrimination based on age, race, religion, sex or disability, etc. | Staff hiring policies, personnel policies, training process, policy on search and seizure, Bona Fide Occupational Qualification |  |

| **Standard of Care Liabilities**  **(tort or third party liabilities)** | **Examples or Type of Illness/ Injury or Damage Caused by:** | **Sample Techniques to Reduce, Prevent or Control loss** | **Identify Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ Food Service | Unsafe water, hazardous foods containing infectious or toxic microorganisms, e.g.,  e-coli, salmonella, etc. | Procedures for storage, handling potentially hazardous foods and sanitation, controlled access, etc. |  |
| ❑ Environmental Pollution | Sewage, toxic materials, leaks of underground tanks, insect/weed control, etc. | Garbage storage capacity, leak-proof, environmental impact plan, etc. |  |
| ❑ Maintenance | Broken equipment, rotted stairs, unsafe electrical or gas lines, shower water temperatures, vehicle mechanical failure, damaged program equipment, etc. | Maintenance plan, identified cutoff points, trained personnel, emergency exits, etc. |  |

| **Standard of Care Liabilities**  **(tort or third party liabilities)** | **Examples or Type of Illness/ Injury or Damage Caused by:** | **Sample Techniques to Reduce, Prevent or Control loss** | **Identify Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ Attractive Nuisances | Failure to control access or unauthorized use of ropes course, lake, pool, firearms, etc. | Fences, signs, security system, etc. |  |
| ❑ Staff Selection/Training  (volunteer or paid) | Lack of screening or training, unqualified staff, etc. | Driver training, training for late hires |  |
| ❑ Staff Supervision/Behavior  (volunteer or paid) | Failure to supervise staff, drunkenness or drug use by staff, etc. | Supervision training, guidelines for appropriate and inappropriate behavior |  |

| **Standard of Care Liabilities**  **(tort or third party liabilities)** | **Examples or Type of Illness/ Injury or Damage Caused by:** | **Sample Techniques to Reduce, Prevent or Control loss** | **Identify Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ Participant Supervision | Failure to supervise adequately, not maintaining appropriate camper to staff ratio, camper to camper child abuse, release of camper to unauthorized person, etc. | Procedures for transporting persons, procedures for prevention of child abuse, appropriate camper behavior techniques, regular analysis of incidents, required documentation, etc. |  |
| ❑ Health Services | Failure to provide appropriate first aid or emergency care, failure to meet special medical needs or dispense medications properly, exposure to bloodborne pathogens, etc. | Health care plan, qualified health care staff, user group information, etc.  Exposure Control Plan (OSHA) |  |

| **Standard of Care Liabilities**  **(tort or third party liabilities)** | **Examples or Type of Illness/ Injury or Damage Caused by:** | **Sample Techniques to Reduce, Prevent or Control loss** | **Identify Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ Program Activities | Inadequate safety regulations and emergency procedures, failure to provide qualified leadership, inform parents of risk, etc. | Safe and appropriate equipment, field trip policies, signed permissions for participation, supplementary insurance, certifications, etc. |  |
| ❑ Personal Injury from  -abuse,  -assault,  -invasion of privacy  -discrimination  -search and seizure | Inappropriate actions, including criminal behavior, by staff or other campers, lack of protection in public places or from intruders, camper or staff recruitment practices, misuse of camper photos, etc. | Written safety regulations, personnel policies, implementation of ADA requirements, guidelines for release of personal information etc. |  |
| ❑ Defective or tampered products | Contaminated food, defective program or safety equipment, etc. | Credible food and equipment source, controlled access, crisis management plan, etc. |  |

| **Standard of Care Liabilities**  **(tort or third party liabilities)** | **Examples or Type of Illness/ Injury or Damage Caused by:** | **Sample Techniques to Reduce, Prevent or Control loss** | **Identify Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ False Advertising | Misleading or incomplete information on facilities, activities, or personnel, etc. | Brochures, videos, and written material that correctly describes facilities, staff, program, etc. |  |
| ❑ Health Care Malpractice | Inappropriate actions by health care staff | Knowledge of individual’s malpractice insurance or coverage with supplementary or general liability insurance, licensed to practice in state where camp is located |  |
| ❑ Vehicle Operation | Passengers exceed capacity, lack of seat belts, driver not qualified, improper loading or unloading, poor selection of commercial provider, etc. | Insurance, safety regulations, credible vehicle provider, safety checks |  |
| ❑ Sponsorship | Lending endorsement to an activity not in your control; the image of cosponsors | Appropriate insurance, board review of endorsements/sponsorships |  |

| **Standard of Care Liabilities**  **(tort or third party liabilities)** | **Examples or Type of Illness/ Injury or Damage Caused by:** | **Sample Techniques to Reduce, Prevent or Control loss** | **Identify Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ Injury from accident | * loss of income if activity cannot be offered * staffing for rental group/ contracted services * public credibility * campers and staff due to stress of incidents or results of accidents * closing camp due to epidemic/ illness | Arrangements with crisis intervention  services/psychological support  Insurance for loss of income  Legal support  PR procedures  Back-up staff  Procedures to deal with crises, appoint spokespersons, crisis communication plan  Plan for contacting parents |  |
| ❑ Illness preventing participation |  |
| ❑ Disability (long or short-term) |  |
| ❑ Death |  |
| ❑ Disease |  |
| ❑ Psychological impairment |  |

| **Operational Financial Liabilities** | **Financial Damage Caused by:** | **Sample Techniques to Control, Reduce, or Prevent loss** | **Identify Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ Vacation Accrual | Allowing vacation or payroll to accrue beyond ability to pay or to replace staff in a timely manner.  Obligation or commitment to pay for time worked. | Personnel policies specifying use of vacation time, current knowledge and compliance with federal and state employment laws, etc. |  |
| ❑ Payroll Accrual |  |
| ❑ Government Regulations and Tax  Liabilities | Failure to meet government reporting criteria (tax requirements, fines by government regulatory bodies) | OSHA compliance audits, current knowledge and compliance with other regulations and requirements, etc. |  |
| * Lease/Rental | Contracts with guest/user groups | Agreement specifies what to transfer/  what to retain. Reviewed with lawyer. |  |
| ❑ Employment Agreements | Agreements with staff | Personnel policies, address at-will status. |  |

| **Operational Financial Liabilities** | **Financial Damage Caused by:** | **Sample Techniques to Control, Reduce, or Prevent loss** | **Identify Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ Refunds | Camper fees, rental cancellations | Written policy for parents/groups |  |
| ❑ Grants | Obligations to fulfill grant stipulations | Timeline and stipulations reviewed regularly |  |
| ❑ Sales or Purchase Orders | Limits and authority of buyers to purchase, methods of documenting orders | Guidelines specifying limits, procedures and authority to bind the camp/corporation |  |
| ❑ Notes, Mortgage, Loans | Limits/authority to sign for camp/corporation. | Policy/controls on binding camp/corporation. |  |
| ❑ Insurance (B-19) | Desired coverages, limits, deductibles | Regular review of coverages |  |

| **Operational Financial Liabilities** | **Financial Damage Caused by:** | **Sample Techniques to Control, Reduce, or Prevent loss** | **Identify Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ Contracts for Service | Food service, construction, etc. | Agreements specify what to transfer/  what to retain. Reviewed by lawyer. |  |
| ❑ Program activity Contracts | Horse leasing or public stable use, rafting, community swim pool, permits for access, etc. | Agreement specifies what to transfer/  what to retain and conditions of use. Reviewed by lawyer |  |
| ❑ Participant/user group registration | Agreement to provide services | Waivers, releases, permission to participate, permission to treat, etc. |  |

| **Property Exposures or Liabilities** | **Considerations affecting losses in this category:** | **Sample Techniques to Reduce, Control or Prevent loss** | **Risk Control Methods and Techniques and Steps Taken** |
| --- | --- | --- | --- |
| ❑ Fire/Smoke  ❑ Theft  ❑ Land Movement/Earthquake  ❑ Collapse  ❑ Blizzard, Ice, Hail  ❑ Flood  ❑ Wind, Tornado, Hurricane  ❑ Sewer Backup  ❑ Lighting  ❑ Falling Objects  ❑ Vandalism  ❑ Breakdown of Machinery  ❑ Collision  ❑ Explosion  ❑ Contamination  ❑ Loss of Utilities  ❑ Poor Maintenance  ❑ Loss of Personal Property | * Area of the country and known risks * Severity of damage to your property * Is the building worth insuring? * Value of items in buildings * Distance from emergency services * Seasons of site use * Availability of backup power * Cost and availability of safety equipment on site * Cost and availability of insurance * Aging property or equipment * Backup systems for computerized records and documents   ***(Continued from previous page)***   * OSHA requirements   + Maintenance log   + Lockout/tagout   + Material Safety Data Sheets * Laws, codes, permits, regulations, affecting operation | * Establish emergency plans for natural disasters * Purchase insurance   + determine acceptable deductible   + determine acceptable ceiling   + determine what is feasible to retain (without insurance) * Purchase of safety, rescue, or other equipment * Supervision of site when not in full use * Inventories of equipment and supplies * Annual safety examinations * Assessable descriptions of electrical lines and cutoff points * Train staff and participants in roles in emergency plan * Establish long-term maintenance plan   ***(Continued from previous page)***   * Hazard Communication Plan (OSHA) * Determine appropriate storage and handling of equipment, hazardous materials, and records * Relationship with local fire and law enforcement officials |  |
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I certify that the plans, procedures and implementation steps will be carried out for all camping services provided for DFI Title XX campers during the summer of **\_\_\_2023\_\_\_\_.**

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Printed Name, Title

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Signature Date