



ESHA Safeguarding Policy

Introduction

1. Estonian Sexual Health Association (ESHA) believes that everyone we come into contact with has the right to be protected from all forms of harm, abuse, neglect and exploitation, regardless of their age, sex, sexual orientation, gender, gender identity or expression, race, ethnic or national origin, religion or belief, partnership status, pregnancy or parental status, disability, health or any other status. Estonian Sexual Health Association will not tolerate abuse or exploitation by volunteers, trustees, staff¹ or anyone associated with Estonian Sexual Health Association.
2. Estonian Sexual Health Association recognizes that the right to be free from abuse, exploitation and harassment is enshrined in international human rights law namely ICERD, ICCPR, ICESCR, CEDAW, CAT, CRC, CRPD². Estonian Sexual Health Association additionally recognizes that the sexual exploitation and abuse are a form of gender based violence.
3. Estonian Sexual Health Association's commitment to ensuring sexual rights for all includes a commitment to freedom and protection from harm. The focus on youth lays at the core of Estonian Sexual Health Association's work.
4. Estonian Sexual Health Association believes that creating a safe environment for all children, young people and vulnerable adults requires the cooperation of all volunteers, trustees, and staff. It is the responsibility of all to raise any safeguarding concerns they have or that are reported to them.
5. Estonian Sexual Health Association commits to addressing safeguarding throughout its work, through prevention, reporting and response.

¹ Staff refers to all paid staff: permanent, fixed term and temporary staff; it includes employees, agency workers, consultants, interns and contractors.

² International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Discrimination against Women, Convention against Torture and Other Cruel, inhuman or Degrading treatment or Punishment, Convention on the Rights of the Child, Convention on the Rights of Persons with Disabilities.



Purpose and Scope

6. The purpose of this policy is to protect children and vulnerable adults from abuse and exploitation that may be caused due to their coming into contact with ESHA through
 - a. The conduct of volunteers, trustees, staff, partners and anyone associated with ESHA;
 - b. The design and implementation of ESHA's programs and activities.
7. The policy lays out the commitments made by ESHA, and applies to all its volunteers, trustees and staff.
8. Where a concern is about a volunteer who is over 18 and under 25, who has no additional vulnerabilities, a decision will be made in consultation with the volunteer themselves, as to whether the concern would be best addressed with under Safeguarding Policies and procedures or the Involvement and Guidance of Volunteers policy and procedures.
9. ESHA will only engage with other organizations that come in contact with children and vulnerable adults if they agree with and meet the standards and principles of ESHA's Safeguarding Policy and procedures.

Definition

10. In this policy, safeguarding refers to ESHA's commitments to protect children and vulnerable adults from harm arising from coming into contact with ESHA.
11. This policy also applies to ESHA's beneficiaries³ due to a recognition that beneficiaries can be exposed to abuse of authority and as such can be considered vulnerable. This does not imply any negative connotation on the beneficiaries themselves but rather ensures that ESHA is comprehensive in its safeguarding duties.
12. Further definitions relating to safeguarding are provided in the glossary below.

Guiding Principles

13. *Empowerment* – decisions will be survivor (victim) led, with the aim to seek informed consent⁴ when the survivor is an adult and obtaining and respecting survivor's views

³ An ESHA beneficiary is someone who receives a service from ESHA or takes part in ESHA activities.

⁴ ESHA understands that the rights and protections guaranteed to people under the age of 18, as a matter of international and national law, sometimes differ from the rights of adults. These differences relate to all aspects of human rights but require particular approaches in regard to sexual rights. ESHA begins from the premise that



when they are a child or an adult unable to give informed consent. ESHA will endeavor to ensure its communication is in an appropriate language and format.

14. *Prevention* – It is better to take action before harm occurs. ESHA recognizes the key role that prevention has in safeguarding and will ensure it develops and provides safe services which keep people safe from abuse and exploitation. This includes applying a safeguarding lens to promotional communications and fundraising activities and providing training and support in recognizing abuse.
15. *Protection* – Abusive behavior in any environment is never accepted. ESHA Board, collaborative partners and other partners will provide services in a manner that does not diminish their safeguarding responsibilities. ESHA will have clear channels to enable reporting in a confidential and anonymous (if required) basis. ESHA will respond appropriately to safeguarding concerns and provide support and representation to survivors (victims).
16. *Partnership* – ESHA delivers its services through collaborative partners and recognizes that local communities have a part to play in preventing, detecting and reporting neglect and abuse. In the spirit of ensuring safeguarding competency throughout all of ESHA, ESHA will monitor that its collaborative partners adhere to safeguarding standards and may need to intervene where these fall below an acceptable standard.
17. *Proportionality* – ESHA recognizes that life is not risk free. ESHA will support activities across its Board, collaborative partners and other partners that identify risks, and mitigate against them, but are not unduly risk averse. ESHA will ensure its responses are proportionate to the circumstances of any incident and the wishes of the survivor (victim), and constitute the least intrusive response appropriate.
18. *Accountability* – ESHA will act with integrity, follow due process and be transparent and accountable. ESHA will include anonymous safeguarding data in its annual reporting. ESHA acknowledges that, whilst everyone has responsibility for safeguarding, the Board and Executive Director are ultimately accountable for ensuring a safeguarding culture exists at ESHA.

Implementation

19. It shall be the responsibility of the board and Directors to ensure that this policy is implemented, monitored and reviewed accordingly.

persons under the age of 18 are rights holders, and that at different points within the spectrum of infancy, childhood, and adolescence, certain rights and protections will have greater or lesser relevance.



20. ESHA will assign the role of child protection officer to one of its staff members. This person will ensure that staff know about the standards and will act as a go-to person for any concerns on child safeguarding.

ESHA must:

- a. Be aware of its responsibilities for safeguarding children, vulnerable adults and beneficiaries.
- b. Be up to date on local child protection and safeguarding vulnerable adults' legislation and responsibilities.
- c. Ensure adherence with the IPPF'S Safeguarding Incident Reporting Procedure.
- d. Ensure all breaches of the Safeguarding Policy are dealt with appropriately and recorded and stored securely with restricted access.

Prevention

21. ESHA is committed to following agreed best practice in safe recruitment as part of its commitment to its safeguarding duties.

This includes:

- a. Detailed application forms and job descriptions which include appropriate references to safeguarding.
- b. Self-disclosure form.
- c. Criminal record checks.
- d. Verification of qualifications and experience.
- e. Robust interviews that include safeguarding, equality, and diversity.
- f. A minimum of two reference checks.
- g. Code of conduct as part of contract.
- h. A thorough induction process which includes safeguarding procedures.
- i. Disclosure of misconduct in giving references.

22. ESHA must:

- a. Ensure all staff has access to, are familiar with, and know their responsibilities within this Policy.
- b. Ensure all staff has read, understood and adhere to the Code of Conduct.
- c. Design and undertake all its programs and activities in a way that protects children, vulnerable adults and beneficiaries, from any risk of harm that may



arise from their coming into contact with ESHA. This includes the way in which information about individuals in programs is gathered and communicated, and using risk assessments.

- d. Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel. (ESHA's Employment Principles).
- e. Ensure staff receive training on safeguarding at a level commensurate with their role in the organization but that at a minimum to ensure that all volunteers, trustees and staff are aware that abuse is not tolerated, and that all concerns will be recorded and heard.
- f. Ensure managers and supervisors are accountable for ensuring that the safeguarding policy and procedures are fully embedded within their areas of responsibility.
- g. Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of this Policy.
- h. Report any concerns or suspicions regarding safeguarding violations by any staff member or associated personnel to the IPPF Global Incident Reporting Unit.

Reporting

23. ESHA must:

- a. Ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available and promoted to staff and the communities we work with.
Three options to report safeguarding concerns:
 - for anonymous complaints through ESHA's internet counseling system (https://www.amor.ee/http://amor.ee/kysi_nou1)
 - for non-anonymous concerns/complaints to the child protection officer/Executive Director
 - IPPF SafeReport in general (<https://www.ippf.org/ippfsafereport>)
- b. Ensure all are aware of additional measures required where a concern is about a child or vulnerable adult.
- c. Provide protection to any volunteer, trustee and staff reporting concerns or complaints in line with whistleblowing principles contained in the Workplace policy.



Response

24. ESHA must:

- a. Follow up on safeguarding reports and concerns promptly and according to this policy and ESHA procedures, and local legal and statutory obligations.
- b. Apply appropriate disciplinary measures to staff found in breach of either this policy or the Code of Conduct.
- c. Ensure that responses are survivor focused, keeping the needs of the survivor at the forefront of any investigation process.
- d. Offer support to survivors (victims) of harm caused by staff or anyone associated with ESHA, regardless of whether a formal investigation is carried out. An up to date list of local organizations and contacts offering support must be available. This list should include but is not limited to information about legal, counselling, medical and psychosocial support. Decisions regarding support will be led by the survivor (victim).
- e. Ensure that appropriate confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the incident and subsequent case management should be shared on a need to know basis only, and should be kept secure at all times, in line with ESHA Confidentiality and Information Sharing Policy. Confidentiality should prioritize the survivor rather than the alleged perpetrator and should not be used as an excuse for not responding to a concern.
- f. Ensure quarterly safeguarding updates are given to the Global Incident Reporting Unit and boards where applicable.
- g. Ensure regular review and learning from safeguarding incidents.

25. This policy shall be reviewed every year.

Associated policies:

- a. Volunteers Policy
- b. Workplace Policy
- c. Employment Principles
- d. Confidentiality Policy



Safe Recruitment CHECKLIST

ESHA is committed to following agreed best practice in safe recruitment as part of its commitment to its safeguarding duties. ESHA Member Associations, collaborative partners and partner organisations are also required to follow this checklist as a minimum.

Job Adverts

Should, as a minimum, include:

“ESHA is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all employees, volunteers, contractors and partners to share this commitment”.

Job description

Should, as a minimum, include:

- **Statement:** As above
- **Role:** Adhere to the safeguarding reporting and monitoring requirements of this role.
- **Person specification:** Demonstrate an understanding of and commitment to safeguarding in local and international context.
- **Person specification:** Demonstrate a willingness to sign and adhere to ESHA’s Code of Conduct and Safeguarding Policy.

Self-Disclosure

Applicants are required to sign a self-disclosure form which acknowledges that ESHA will disclose any misconduct in references.

Investigate Gaps in Employment History

Gaps in career history must always be followed up, with the candidate or with a referee, and, if felt needed, a request for supporting evidence should be made.

Carry Out a Criminal Records Check

ESHA acknowledges its responsibility not to knowingly allow a barred person to work with vulnerable groups (including children). ESHA will inform appropriate local regulators if an individual is removed from post because they have harmed, or because they pose a risk of harm to vulnerable groups (including children).

Verification of qualifications and experience and suitability

- A minimum of 2 written references are required that explicitly cover questions around suitability to work with children or vulnerable adults.
- Talking to referees
- Robust interviews that also cover safeguarding, equality, and diversity



Contract detail

Employment contracts should include reference to the ESHA Code of Conduct Individual contractor's contract should include: "By signing the below, I, the Individual Contractor, acknowledge and agree that I have read and accept the terms of this Contract and that I have read and understood and agree to abide by the ESHA code of conduct."

Mandatory safeguarding induction and yearly safeguarding training

Giving references

ESHA will disclose in written references when someone has been dismissed for serious misconduct or left before an investigation was completed. References should only be sent from Human Resources and state that they are from Human Resources so that it is clear they have been checked and verified.

Human Resource files containing safeguarding concerns and investigations

These files should be retained past the data protection guidelines to ensure that should an individual request a reference at a later date ESHA still have the information to do so.



GLOSSARY on Safeguarding

For ESHA Safeguarding in general means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. It means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people in contact with ESHA, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

This definition draws from ESHA values and principles and shapes ESHA culture. It pays specific attention to preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding Children & Vulnerable Adults (SCVA)

For ESHA SCVA specifically applies to the prevention of all forms of abuse and exploitation of children and vulnerable adults. It includes the prevention of sexual exploitation and abuse (PSEA). Safeguarding puts beneficiaries and affected persons at the centre of all we do.

Safeguarding applies consistently and without exception across ESHA programs, partners and staff. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialize. Those systems must be survivor-centered and also give appropriate protection to those accused until any guilt is established.

Vulnerable Adult (At risk adult)

Sometimes also referred to as at risk adult, is generally someone who may be unable to take care of themselves or protect themselves from harm or exploitation. They may be more at risk of abuse and exploitation due to factors such as, for example, gender, mental health issues, learning or physical disabilities, age, sexual orientation, or as a result of the impact of natural disasters and conflicts.

For the purpose of ESHA's policies and procedures for vulnerable adults, ESHA includes ESHA beneficiaries⁵ as vulnerable adults. This is due to a recognition that misuse of power can also apply to ESHA beneficiaries. This does not imply any negative connotation on ESHA beneficiaries but rather ensures that ESHA is comprehensive in its safeguarding duties.

Child

The United Nations Convention on the Rights of the Child (CRC) affords special rights and protections to all those under the age of 18. For the purposes of this policy, the term 'children' is used to refer to those under the age of 18.

⁵ An ESHA beneficiary is someone who receives a service from ESHA or takes part in ESHA activities



Young Person

For the purposes of its own programmatic work and data collection, ESHA, in line with the UN, defines young people as everyone aged 7 to 26.

Confidentiality

Confidentiality is protecting information from unauthorized disclosure. Confidential means information which is not common knowledge and is of value. This includes personally identifiable information as well as sensitive documents. Confidential information should only be shared on a need to know basis, i.e. it is shared only where there is a justification that the person needs to know in order to perform their role.

Child abuse and neglect

Sometimes also referred to as child maltreatment, is defined as all forms of physical and emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust, or power. Within the broad definition of child maltreatment, five subtypes are distinguished – these are physical abuse; sexual abuse; neglect and negligent treatment; emotional abuse and exploitation. (WHO 1999/2002)

Harm Psychological, physical and any other infringement of an individual's rights.

Psychological harm Emotional or psychological abuse, including, but not limited to, humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation.

Protection from Sexual Exploitation and Abuse (PSEA)

Refers to the prevention of sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).

Sexual abuse

Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation

Actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. This definition includes human trafficking and modern slavery.

Survivor



The person who has been abused or exploited. The term survivor is often used in preference to victim as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.