

SAFEGUARDING POLICY

Evangelical Mission in Solidarity (EMS)
Vogelsangstraße 62 | D-70197 Stuttgart
Tel.: +49 711 636 78 -0
E-Mail: info@ems-online.org

CONTENT

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WITNESSING THE GOSPEL

As people whose faith is rooted in the Gospel of Jesus Christ, the EMS fellowship upholds the principle that each human being received his or her dignity as a gift of God and therefore need to be respected and protected. This fundamental insight, rooted in our faith, needs to be expressed coherently in the ways we meet and interact everywhere. We strive to build a caring community with an awareness of avoiding any kind of harassment, in particular sexual harassment, and creating a safe space for all.

As followers of Jesus Christ, we are called upon to provide environments that affirm the dignity of persons created in the image of God. Fellow human beings mirror divine dignity. Jesus addresses them as “brothers and sisters”. Consequently, it is our responsibility to oppose oppression in all forms including any form of sexual abuse, exploitation or harassment in our midst.

“Our witness is based on faithfulness to the Gospel and on compassion for God’s creation, particularly for all vulnerable and endangered creatures.”

“Our witness finds expression in signs of living solidarity. As reconciling and healing communities we share life, also suffering. We strive for human rights. We also strive for a just community of women and men and in all generations”. (EMS Theological Guidelines)

SCOPE AND PURPOSE

The main purpose of the Safeguarding Policy is to promote accountability and to outline the key responsibilities of everyone who is involved in EMS activities . The following standards apply to everyone who is participating in EMS activities: staff, volunteers, members of EMS bodies or committees, participants and partners in EMS programmes and projects.

The Safeguarding Policy seeks to protect every community member whom the EMS fellowship serves or assists. Anyone who is involved in EMS activities must be mindful that each action in its respective context can have repercussions for the fate of many.

This Policy calls for special attention to be paid in an international and multicultural work context where differences based on for example but not limited to ethnicity, religion, gender, age or disability can lead to attitudes or practices that violate the personal integrity of individuals or the understanding of what is appropriate. The temptations to misuse power, harass and exploit others, also in relation to sexuality, must be avoided.

The EMS Safeguarding Policy embodies zero tolerance with regards to harassment, abuse, sexual exploitation and the abuse of power in all EMS activities and responsibilities, at the organisational or programme level in our humanitarian, development and advocacy work, and applies rules and penalties for any breaches or violations.

STANDARDS OF BEHAVIOUR

To uphold and promote the highest ethical and professional standards, those involved in EMS activities shall at all times:

- respect and promote fundamental human rights without discrimination and act with integrity.
- treat all communities and individuals fairly and with respect, courtesy and dignity.
- respect and abide by national and international laws.
- maintain an environment that prevents misconduct and promotes the implementation of this Policy.
- promote safe and confidential reporting of serious concerns about suspected misconduct.
- report immediately any knowledge, serious concerns or substantial suspicions of breaches of this Policy.
- cooperate when requested with any investigation into alleged breaches related to this Policy.
- positively represent the Evangelical Mission in Solidarity (EMS).

GUIDELINES FOR ACTION

When we in the EMS Fellowship encounter another's differences, we should be careful not to assume that our way of living and behaving is comfortable for anyone else. Even between individuals of the same culture or background, what may be considered normal friendliness and sociability to one person can be interpreted differently by another; a culturally mixed group increases the potential for misunderstanding.

Sometimes, our differences of age, gender, culture, religion, confession, ability, language, caste, ethnicity and class make it a challenge to understand and communicate with one another. We are invited to accept this challenge as a gift and an opportunity. By doing so, we need to take extra care and sensitivity in our behaviour and approach to one another.

PREVENTION OF MISCONDUCT

Misconduct is defined by its impact on a person rather than by the intent of the person engaged in the behaviour. Any misconduct is unwelcome whenever the person subjected to it considers it unwelcome. Misconduct can be through remarks, gestures or behaviour.

To prevent violation against the agreed standards, people involved in EMS activities shall at all times:

- refrain from discriminatory remarks regarding for example age, gender, culture, religion, confession, ability, language, caste, ethnicity and class.
- never threaten or humiliate, bully or exploit people.
- never take advantage under any circumstance of a position of power to obtain personal favours.
- never approach vulnerable groups such as children or people with disabilities without particular caution in order not to overstep physical and psychological limits.

SEXUAL HARASSMENT

Sexual harassment is defined by its impact on a person rather than by the intent of the person engaged in the behaviour. Any sexual conduct is unwelcome whenever the person subjected to it considers it unwelcome. Sexual harassment can be through remarks, gestures or behaviour.

Sexual harassment includes unwelcome, single or persistent sexual conduct that offends, humiliates or intimidates a person and/or that creates a toxic psychological or emotional environment for those who work in or participate in any activity of the EMS Fellowship.

Sexual harassment is often an expression of an unequal power relationship. It occurs when those in power discriminate or take advantage of others, especially those who are dependent or vulnerable. EMS shall not accept any kind of sexual harassment.

To prevent sexual harassment in all forms, people involved in EMS activities shall at all times:

- never disrespect other people's personal boundaries. If you are not sure, ask first. (For example, "Would it be okay if I gave you a hug?")
- never violate the privacy of other people by inappropriate physical advances or touching (or threatening to do so), by inappropriate comments of a sexual nature or by showing/posting pornographic images.
- never take advantage under any circumstance of a position of power to obtain sexual favours or sexual services.
- never offer employment or goods in exchange for sexual favours. In particular, people who work in programmes and projects are obliged not to enter into sexual relations with people from the (potential) target group.

ENCOURAGEMENT FOR THOSE AFFECTED

There are steps that can be taken to make sure one is treated in ways that are comfortable and appropriate. Be clear with yourself and with others about your personal boundaries.

- Trust your intuition if someone's behaviour makes you feel uncomfortable. There is no need to rationalise or deny what is really going on. Do not diminish your feelings even if you are embarrassed or are not sure if you are really experiencing harassment. Your feelings are valid and they indicate that it would be valuable and helpful to talk with a trusted friend or counsellor who can help you interpret what is going on.
- Talk about it with people you trust so that you may take the right steps for you and so that the name of the harasser and the objectionable things that were done to you are revealed. The latter is important so that others are not subjected to the same kind of treatment. Silence may only provoke more harassment.
- Refuse any gesture or contact you consider inappropriate.
- If you experience harassment, don't be afraid to express in any way that the behaviour is unwelcome. You can say "no" with a look, words or gestures.
- If harassment persists and you are in a public place, make your protests louder so that the public notices the harasser, especially if you feel yourself to be in danger.
- It is your right to hit, kick or push someone who is physically harassing you. This is self-defence.

CHILD PROTECTION

In 1989, the United Nations (UN) adopted the "UN Convention on the Rights of the Child". Child protection is part of the rights of a child. Child protection refers to the protection of children and young people who are under age from physical, sexual and psychological violence. It emphasises the promotion, participation and safeguarding of children's well-being in everyday life. It includes both preventive and interventional measures put in place to ensure the well-being of children and young people. Child protection includes all legal regulations and measures to protect children and young people from harm.

To prevent harm to children in all forms, people involved in EMS activities shall never under any circumstances:

- abuse children or negatively influence their lives and well-being.
- hit children or otherwise physically harm them.
- encourage illegal, dangerous, neglectful or abusive behaviour towards children or use inappropriate, indecent or abusive language.
- help children with intimate tasks that they can do on their own without request or necessity (such as accompanying them to the bathroom, bathing or changing clothes).
- develop relationships with children that may be perceived as exploitative or abusive.
- hug, pet, kiss or touch children in an inappropriate or culturally insensitive manner.

- engage in sexual activity with a child, nor in the presence of a child, nor have sexual activity performed by a child or be performed on oneself by a third party.
- expose a child to pornographic material.
- buy, possess, use or distribute child pornography.
- give children any dangerous or exploitative work or any work that could damage their physical or mental development or prevent them from attending school.

PREVENTION

EVENTS

- Information about the Policy will be handed out to every participant before or at the beginning of every EMS event and presented to those attending the event.
- Those who are unwilling to abide by the Policy shall be required to leave the event.
- A team of at least two ombudspersons will be appointed at the beginning of each event and will be introduced to participants at the beginning of the event. The ombudspersons will be nominated by the event organisers and approved by the participants. It is recommended that the ombudspersons should have significant counselling experience, cultural sensitivity and should be of different genders.

PROGRAMMES AND PROJECTS

- Information about the Policy will be handed out to every programme/project holder before the beginning of a programme or project supported or run by the EMS fellowship.
- As part of the programme/project approval process, every project holder must commit himself or herself to respect and implement the Policy within the scope of the project.
- EMS has a designated contact person in the Secretariat (see appendix). Furthermore, EMS is cooperating with an external contact centre to follow up on cases of sexual harassment (see appendix). The contact centre can investigate cases of harassment in its own capacity.
- All stakeholders have the right to address complaints to the contact person in the Secretariat or the external contact centre.

EDUCATION AND INCREASING AWARENESS

As part of this Policy, a permanent process of sensitisation and an increase in commitment within EMS will be launched by holding workshops and trainings in the different bodies of the EMS fellowship on a regular basis, such as the General Meeting, the Mission Council, the International Secretariat, the Women's Network and the Youth Network. The aim of these workshops and trainings is to build awareness, sensitise all members of the EMS fellowship concerning misbehaviour, sexual harassment and child protection and encourage them to deal with it. EMS shall encourage its members and project partners to draw up their own action plans for dealing with cases of misbehaviour, sexual harassment and child protection.

PROCEDURES FOR COMPLAINTS

Speaking up about harassment in all its forms takes a lot of courage for the affected person. Fear, shame and shock can sometimes prevent a person from reporting an incident immediately after it happened. It is important to build a person's confidence that every incident will be taken seriously and that the report will be handled with full confidentiality before further steps are agreed upon by the ombudspersons or the contact persons and the affected person(s).

For any legal action, verbal and written reports are helpful. If you feel that you may want to report the harassment formally, write down or record what happened while it is still fresh in your memory.

After a claim has been made to a member of the ombudsteam or the contact persons, the following process should be started. The team should endeavour to inform the complainant about every step that is being made and obtain their agreement.

- Ombudspersons or the contact persons will analyse the situation and decide on possible actions in respect to short-term needs (regarding the context of the event/project) and long-term needs (regarding the follow-up).
- Some incidents can be resolved informally through dialogue without recourse to formal procedures by clearing up misunderstandings or helping people to define personal boundaries more clearly.
- The harasser may be removed from the event or programme/project at the earliest possibility. That person may even be banned from future EMS events or from holding positions in EMS. The responsible persons for the meeting or project/programme may be informed about the decisions of the ombudsteam/contact persons.
- If harassment is reported after the event, the ombudsteam responsible for the event will deal with the case.
- In all cases, a report must be written by the ombudsteam/contact centre and must be saved confidentially at the personnel unit at the Secretariat.

When complaints are investigated, the following principles shall be observed:

- Harassment might involve people with whom the team is familiar with and from whom no-one would ever expect any inappropriate behaviour.
- Each case should be treated seriously and sensitively with transparency, fairness and with all due appropriate procedures.
- It is important to listen to the complaint without offering possible explanations for the offender's behaviour.
- The definition of harassment and personal boundaries are always based on the affected person's understanding.
- No-one will be blamed if they are unable to confront their harasser.

- In the process of determining what happened and how it will be handled, every attempt will be made to maintain confidentiality, while at the same time providing for the physical and emotional safety of the harassed person.
- Counselling and support should be available for both parties.
- In no case will the identity of the harassed person be made public – either to the participants of the event or the home community since in some cases this could mean undue shame for the harassed person.

KEY TERMS AND DEFINITIONS

Child or minor: an underaged person (as defined by the Convention of the Rights of the Child).

Complainant: the person making the complaint, including the alleged victim of the misconduct or another person who becomes aware of possible misconduct. Staff members have an obligation to report any knowledge, suspicions or concerns of breaches of this Policy through appropriate channels within EMS (whistle-blowing policy). This includes any suspicion of sexual exploitation and abuse.

Discrimination: exclusion of, treatment of or action against an individual based on social status, ethnicity, caste, color, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.

Exploitation: using one's position of authority, influence or control over resources to pressure, force or manipulate someone by threatening or coercing them with negative repercussions such as withholding project assistance, not giving due consideration to a staff member's work support requests, threatening to make false claims about a staff member in public, etc.

Informed consent: permission given with reasonable knowledge of the risks involved, potential consequences and available alternatives.

Misconduct: any breach of applicable national or international law as well as contraventions of internal rules or policies including this Policy, regulations or other instructions issued by the relevant manager or authority, including contextualised security provisions and sexual harassment policies.

Protection: ensuring that individual basic human rights, welfare and physical security are recognised, safeguarded and protected in accordance with international standards.

CONTACT INFORMATION

Contact Person in the Secretariat

Rev. Eleanor B. McCormick
Head of Department Programmes and Networks
EMS – Evangelical Mission in Solidarity
Vogelsangstraße 62
70197 Stuttgart
Germany
Phone +49 711 63678-33
mccormick@ems-online.org

External Contact Centre

KuBuS – Kontakt- und Beratungsstelle für Opfer von Missbrauch in Kirche und Diakonie (KuBuS - Contact and counselling centre for victims of abuse in the church and diaconal organisations)
Confidential Phone: +49 7131 166178 (from Germany: 0800 5040112)
zentrale@anlaufstelle.help