

May 22, 2010

Dear supporters of Bethel Congregation children work!

My name is Algis Ventsas and I am a member of Tallinn Bethel Congregation. I am writing this letter with a heavy heart, but as a former participant of the children work I feel concerned that the essence of that work has turned to being formal and the Centre's activities have come to damage the community and state. Therefore I feel it's my duty to inform you – our children's work donor, about the problems of this work.

With a (now deceased) member of our church, Kalev Kello, we were the first to bring in 1996 the children from Kopli to the church to wash and eat and I also transported them to Aa manor house, where there was situated a shelter. We left the children work (that we started from an empty place and turned into valuable work) in Mati's hands; yet by now he has substituted it by an organization from which original name today is left out the word „Christian“ with the explanation – or otherwise we will not be supported by local and governmental departments. Now since the „Christian“ name removal, the funds have increased from abroad but all government funds have ceased.

The funds and security from controlling such amounts of funds have created in Mati the permission to be a law unto himself. As he likes to say, “We are a country within a country”. The most sad is the people that have been hurt through these practices, in many ways. Shameless

Mati Sinisaar's incompetent decisions have shown total lack of financial understanding, and this has not been a fleeting stage but has persisted and shown to be a permanent and serious problem that has grown into a feeling of being invincible. All failures are explained as “God's will”. Under this without any form of regulation or control or fear of even correction, there is danger to make God a cover for confusion.

Since 1998 Bethel Congregation has continuously helped the children lacking parental care, creating for that purpose Bethel Church Social Centre with its Daily Care Centre and Children Home. During that period there have constantly occurred misunderstandings and conflicts with the corresponding state departments and local community; most of the reasons have remained incomprehensible to most of the members of the congregation and workers of the Centre.

We have often heard feedback from abroad the unjustified disparagement of the Estonian Republic's social and welfare work; the kind of attitude towards our state has obviously been created by the negative reflection given abroad by the workers of Bethel Social Centre, with the aim to raise more sympathy and thus get more financial and humanitarian aid from abroad. In the question of Bethel's children work I inquired of Tallinn Social Welfare and Health Care Department and to the Harju County Governor.

Having received the answers from all the above mentioned, we are obliged to inform you, that the whole children work of Bethel Church Social Centre has taken place without the

appropriate **ACTIVITY LICENCE**, i.e. in the way they see it fit, without any state control. Hence, operation of the Bethel Church Social Centre is in straight contradiction with several laws of the Estonian Republic, i.e. **unlawful**.

The Pelgulinn House Owners Society as well, local inhabitants, have gathered 455! signatures on a petition. They have constantly expressed their dissatisfaction with Bethel Church's activities (the new so called "youth home" planned into the yard of the church, vandalizing youth around the church etc).

As the activities of the Bethel Church Social Centre are mainly financed by donations from abroad (in a very small amount by donations from Estonia; **state support is absent**) and many questions have risen concerning the reasoning of asking the money from abroad and the usage of financial means (corruption, envelope wage etc), we think that it is important to explain to you the actual background of the activities of Bethel Church Social Centre. Many people have been hurt, and many conflicts have been started by the power of money.

We hereby present you the copies of all the correspondence with the named state administrative agencies and also the position of the representatives of the local community and the official decisions (translations).

With blessings,

Algis Ventsas  
Member of EELC Tallinn Bethel Church Congregation  
Email: [psoriaasikeskus@gmail.com](mailto:psoriaasikeskus@gmail.com)  
phone: +372 545 33 660, +372 56 204 707  
skype ID: psoriaasikeskus  
Skype phone nr 712 1954

PS

While compiling this letter I still was the member of the Bethel Church Board. My wife, Marge Heinoja-Ventsas was a member of the audit committee. At the congregation plenary session on the 23th of May 2010 I was removed from the Church Board on the initiative of priest Avo Üprus; as well was removed my wife from the audit committee.

Annexes:

1. Algis Ventsas and Avo Üprus, Conflikt of interest debate (page 3-5)
2. Letter from the Vice-Chairman Marek (page 6-8)
3. Letter from the orphanage director Inge Ojala (page 9-11)
4. Pelgulinn House Ovwners Society (page 12-15)
5. Tallinn, Social and Healt Service(The original questions-answers and translation) (page 16-20)
6. Harju County Governor(The original questions-answers and translation) (page 21-26)
7. Statement about exercised supervision of the quality of the social service provided in(The original questions-answers and translation) (page 27-40)

## 1. Algis Ventsas and Avo Üprus, Konflikt of interest debate

### [Peetelis on kõik üks? Avo Üprus selgitab](#)

Viimasel ajal on segadust tekitanud Peetelis pikka aega käibel olnud fraas "Peeteli kogudus ja Sotsiaalkeskus on kõik üks", kuid põhjalikumalt süvenedes näeme, et tegemist on selgelt kahe erineva organisatsiooniga, kahe juriidilise isikuga. Teiseks, kui kogudus kõike teeb, milleks on siis vaja Peeteli Sotsiaalkeskust?

Õpetaja Avo Üprus selgitab.

Avo Üprus: Ma olen loomulikult päri sellega, et Kiriku Sotsiaalkeskust (SK) saab vaadelda nõ tütarettevõttena.

Avo Üprus: Kogudus on loonud sotsiaalkeskuse ja osaleb juhtimises oma esindaja kaudu.

Algis: "Jään endale kindlaks - SK ja kirik ei ole kõrvaltvaatajale 2 eraldiseisvat asutust. Just isikus ongi küsimus, sest 2 asutust ja 1 isik. Annetuste adressaat ongi valdavalt ainult 1 inimese, Mati Sinisaare suva järgi otsustatud. Veel korra, annetaja ei tee vahet ja näeb kirikut."

Avo Üprus: "Kogudus on teatud ülesanded delegerinud sotsiaalkeskusele ja sotsiaalkeskus täidab neid iseseisvalt."

Algis: "Ei saagi selle punkti sügavamõttelisusest aru! Täna kasutab SK hüvesid, mis minu arust 100% talle ei kuulu ning kui ta nende hüvede tarbimisega iseseisvalt hakkama ei saaks ehk siis oleks sellel punktil ka mingi sügavam mõte. - ironia."

Avo Üprus: "Koguduse ja sotsiaalkeskuse ühiste kuludena vaadeldavad kulutused kaetakse valdavalt sotsiaalkeskuse eelarvest."

Algis: "See on loomulik, et valdavate kulude tekitaja tasub ka valdava osa arvest, või mis? Selle arveste maksmist ei tasuks liiga palju esile tõsta, sest ei ole kinnitust leidnud asjaolu kellele üldse ja palju annetatakse. Kuid on kindel, et SK kasutab kiriku ruume nagu enda omi, samas kui kogudus võiks nende välja rentimisega teenida tulu. Mitte kogudusel ei ole kasulik, et SK tema koguduse osa arvest tasub, vaid SK-l on kasulik kom.makseid tasuda, siis saab seda kuulutades ja tasuta kirikuruume kasutada."

Avo Üprus: "Kui lapse metafoori juurde jääda, siis sotsiaalkeskus ei ole laps, kes majandab vanemate ettevõtet vaid on ise see ettevõte, mida juhivad, selleks volitatud täiskasvanud ja asjatundlikud isikud. Ausam on öelda, et täiskasvanud laps elab oma elu ning toetab vanemaid. Lapse paljaksvarastamine ega ukse taha heitmine ei ole tsiviliseeritud rahvaste hulgas tolereeritav tegevus."

Algis: "Tohoh, kas SK on siis kirikust eraldiseisev asutus, mida juhivad kogudusest erinevad inimesed? Kui selliseid retoorikasse jäävaid väiteid vähem oleks, siis ei oleks ilmselt ka tänast diskussiooni huvide konfliktist, sest just huvide kattumine on tekkinud vastasseisu põhjus! Ja tegelikult ei saa ju keegi hetkel enam aru kumb siis laps oli? SK? või hoopis kogudus? Veel

enam, minul on küsimus: " Kas SK ÜLDSE HAKKAMA SAAKS, KUI TA EI PAIKNEKS KIRIKUS"?"

Avo Üprus: " Peeteli koguduse töö sotsiaalkeskuse kaudu andnud kümnetele lastele tuleviku, hoidnud ära kuritegevust, hälbivat käitumist, marginaliseerumist, vähendanud haigusi ja loomuvastasust. Me peame selle üle uhked olema. Peeteli Kiriku Sotsiaalkeskuse loomine oli õige samm ning ei ole tänaseni end ammandanud. Kogudus tegi õige valiku ega pea seda häbenema."

Algis: "Keegi ei vaidle ju vastu, ainult et peaks ka natuke koguduse ja kiriku tegevust tavapärastama ning seisma ka kogudusetöö elavdamise eest, liikmete arvu suurendamise eest jms."

### *Translation*

Algis Ventsas and Avo Üprus, Conflict of interest debate

Are the two institutions one and the same in Bethel?

Nov.2009

Lately the phrase that has been used for a long time at Bethel's – „Bethel Congregation and Social Centre are one and the same“, has created disturbance, yet at closer consideration we see, that we are dealing with two clearly different organizations, two legal bodies (entities).

Priest Üprus explains.

Üprus: I agree, of course, that the Church's Social Centre (SC) could be regarded as a so-called subsidiary undertaking.

Üprus: The congregation has created the Social Centre and takes part in its administration though their representative.

Algis Ventsas: "I still hold my opinion - SC and the church are not two different institutions in the eyes of a bystander. The problem is just in the person, for there are two organizations and one person only. The addressee of the donations is mainly the result of Mati Sinisaar's personal decision. I point out once more – the donator does not see the difference and regards SC as the Church."

Üprus: "The congregation has delegated certain tasks to Social Centre and SC performs them independently."

Algis Ventsas: "I do not quite understand the profoundness of that point! Today SC uses the benefits, that to my mind do not belong to them 100 %, and if SC couldn't manage to consume these benefits independently, then that point would carry some deeper idea - irony."

Üprus: "The costs regarded as common expenditures of SC and the Congregation is prevalently covered from the SC budget."

Algis Ventsas: "It is quite natural, that the one who raises the bulk of expenses pays also for most of the invoices, or what? Paying these invoices should not be pointed out so much, for it is still not evident to whom at all and how much is donated. Yet it is obvious, that SC uses the church premises as its own, while the congregation could earn profit by renting out these rooms. The fact, that SC pays part of the congregation's invoices is not so much useful for the congregation, but instead, it is profitable for SC to cover utility costs, for in that case it is possible to use it and use the church premises free of charge."

Üprus: "In case we remain to the metaphor about child, then Social Centre is not a child, who manages his parents enterprise, it itself is the enterprise, that is leaded by authorized, mature responsible persons. Frankly said, a grown-up child lives his own life and supports his parents. Despoilment of a child and throwing him behind the door is not an activity, tolerated among civilized people."

Algis Ventsas: "Oh, is SC an institution independent form the church, leaded by different people from the congregation? If there were less the kind of rhetorical claims, there would not exist the current discussion about conflict of interests, for just overlapping interests has initiated the confrontation! And actually, nobody does understand, which one was the child? SC? Or the congregation? Moreover: I have a question: " Would SC MANAGE AT ALL, IF IT WERE NOT SITUATED IN THE CHURCH?"

Üprus: " Bethel Congregation's work through Social Centre has offered future for tens of children, prevented crime, deviant behaviour, marginalization, reduced diseases and abnormality. We should be proud of it. Creating Bethel Church Social Centre has been the right decision and up to today it is not exhausted yet. The congregation has made the right choice and does not have to be ashamed."

Algis Ventsas: "Nobody objects to it, only we should customize a bit the activities of the church and congregation and to fend for enlivening of congregational work as well, also for increasing the number of members of the congregation etc."

## 2. Letter from the Vice-Chairman Marek

Tervist Marek !

Olen Algis Ventsas, juhatuse liige EELK Tallinna Peeteli koguduses. Olen koguduses inimestelt küsinud ja üritanud teada saada, miks sa peatasid oma aseesimehe koha pidamise? On igasugu arvamusi ja jutte. Kas sa oleks nii kena ning annaksid mulle vastuse. NB! Minu järelpärimine on ametlik ja teavitan ,et Sinu vastuse kavatsen läbiarutada juhatuse koosolekul. Eesmärgiga lõpuks kummutada "külajutud"

Algis Ventsas  
22.03.2010

Tere Algis

Närvid on varsti juba viis aastat Matiga sõdimisest puhkust saanud ja aeg, nii mõndagi juba unustada lasknud, kuid püüan meelde tuletada. Samas usun ja loodan väga, et Peeteli kogudusel varsti selline juht on, keda võib usaldada.

**Üks peamine põhjus**, miks tagasi astusin, oli selles, et mulle ei meeldinud Mati rahadega susserdamine ja tahtmine kõigi **asjade üle ainuisikuliselt otsustada**. Arvatavasti oli tal vaja seda selleks, et siis ise segamatult oma äranägemise järgi rahade liigutamist organiseerida. Mäletan, et sel ajal käis just kiriku ja uue maja projekteerimise tegevus. Ta võttis uue maja arhitektiks oma õemehe ja maksis talle selle aja kohta päris korralikke summasid. Uue maja ehituse vastu olin ma juba eos. Algusest peale oli ju näha, et summad mida sellise maja ehitamine ja ülalpidamine vajanuks, oleksid kiriku rekonstrueerimise suretanud. Kuna see tegevus on ju putalt annetustele rajatud. (Algul kerjan, et saaks maja ja siis ülalpidamise. Ise püüan vahepeal sellest segasest august "Suurt kala".) Sry aga selline asi on jama ja käib minu tõekspidamiste vastu!

Mati püüdis mind panna tema poolt kehtestatud raamidesse ilma, et see midagi paremaks muutis. See hakkas mulle vastu. Püüdsin sellest välja rabeleda, kuid ei lastud. Võimalik, et ta nägi selles ohtu või vandenõud. Sellise tegevusega sai selles majas tema poolt nullitud minu perspektiiv kuhugi edasi jõuda ja areneda. Võimalik, et kartis midagi. Kuigi ametlikult olin Sotsiaalkeskuses tööl, kus olid mul ajajooksul tekkinud igapäevased tööülesanded. Lisaks sellele olid sagedased nn. ühekordsed tööülesanded, nagu ta neid nimetas. Oli juhuseid, kus pidi vastavalt tema varasematele kokkulepetele tegema tema tuttavatele kolimisteenust, vms. Korduvalt sai küsitud "Direktorilt" ametijuhendit, mida ma ei näinud kunagi. Arvan, et selle taga võis olla 2 põhjust, kas ta ei osanud seda teha või ei olnud see talle kasulik.

Meenub ka Inge Ojala juhtum, kus Inge tuli nuttes ja ütles, et Mati käis ja nõudis temalt enda kätte sularaha, mis oli annetatud tänavalastele sihtotstarbeliselt. Kahjuks summat ei mäleta aga tegu võis olla umbes 300.- EUR vms.

Aastal 2002 läksin õppima Mainori Kõrgkooli, mulle tundus, et see Matile eriti ei meeldinud. Olgugi, et ta sellel eriti väljapaista ei lasknud. Jõudis kätte 2005 aasta kevad, kooli lõpetamine. Ühel päeval astus Mati minu juurde ja palus, et ma kirjutaks lahkumisavalduse "Omavalitsusele". Keeldusin muidugi. Sama asja oli ta ka juba aasta varem minu käest soovinud.

Asi päädis muidugi sellega, et ta leidis võimaluse mulle kätega kallale tulla. Ruum, kus rüselus toimus asus keldris asuva köögi vastas nn. produktide hoiustamise ruum. Antud intsidenti juhtus pealt nägema ka Anneli Jahu, kes töötab Peetelis kokana.

Kindlasti on neid seiku veel palju, kus Mati oma positsiooni ja võimu kasutades inimestele haiget tegi. Nagu ma juba alguses kirjutasin ei menu kõik. Aeg on lasknud vihal lahtuda. Arvan, et kui sinna nädalaks tööle tagasi peaksin tulema siis suudaksin kirjutada enamat. Sest ma ei usu, et selles inimeses midagi muutunud on. Edu sulle võitluses õiguse eest!

Tervitades

Marek

*Translation*

24.03.2010

Dear Marek!

I am Algis Ventsas, member of the Board of EELC Tallinn Bethel Church. I have been asking from the people in congregation and tried to understand, why did you suspend your deputy chairman duties? There are several opinions and talks about it. Would you, kindly give me an answer to it? NB! My inquiry is official and I inform you, that intend to discuss your answer at the meeting of the Board. With the aim to put an end to "rumors".

Dear Algis,

I've soon had already five years' rest of the war of nerves with Mati and time has allowed forgetting about this and that, but I try to remember. At the same time I believe and hope very much, that Bethel Congregation will soon have a leader, whom they can trust.

The main reason for my removal was that I could not accept Mati's fiddling with money and his desire solely decide about everything. Most probably it was necessary in order to undisturbedly organize money matters as he saw it fit. I remember, at that time took place design works of the church and the new house. He hired as the architect of the new house his brother-in-law and paid him rather big sums at that time. I was against the idea of building a new house since the very beginning. It was obvious from the beginning, that the amount of money the building and maintenance of the kind of a house demanded would have excluded reconstruction of the church, as this activity is purely based on donations. (*At first cadge money, in order to build the house and then its maintenance. And meanwhile I try to catch "big fish" in that muddy water*). Sorry, but that kind of affairs are unfair and it goes against my convictions!

Mati tried to press me into the frames established by him, yet it did not change anything for the better. I could not accept it. I tried to snap out of the situation, but I just could not. Quite possible, that he suspected some kind of danger or conspiracy. With his activities he annulled my perspective to reach somewhere and develop in this house. Maybe, he was afraid of something. Yet, officially I worked in the Social Centre, where in time had formed my daily duties. In addition, frequent so called supplementary functions, as he himself called them. On some occasions I had to, according to his previous agreements, offer removal services for his friends, etc. Several times I asked the "director" for the job description, which I in the end never saw. I think there might have been two reasons for it – he either was not capable to write it or else, it was not useful for him.

I also remember the case of Inge Ojala, when Inge came crying and told, that Mati had come and demanded from her the cash that had been donated for the work with street children. Unfortunately I do not remember the exact sum any more, it might have been about € 300.-.

May 22, 2010

**[FOR SUPPORTERS OF BETHEL CONGREGATION  
CHILDREN WORK]**

---

In 2002 I began studies at Mainor Business School; it seemed to me, that Mati did not like it very much. Yet he did not show it. Spring 2005 I graduated from the school. One day Mati came to me and told me to write the letter of resignation voluntarily. I of course, refused to do it. He had demanded from me the same document already a year earlier. The situation culminated with his attacked me. The room where the scuffle took place was situated next to the kitchen it was the so called storage room. The incident witnessed Anneli Jahu, who at that time worked as a cook in Bethel.

Of course, there are many more situations, when Mati, using his position and power, offended other people. As I have written already at the beginning – everything does not come to my mind already. Time has let the anger to cool down. I think, in case I'd come back to work in Bethel Church, I could write some more. For I do not believe, that this person has changed a bit. Good luck with your fight for justice!

Best regards,  
Marek

### 3. Letter from the orphanage director Inge Ojala

Tervist Inge Ojala !

26. Märts 2010

Olen Algis Ventsas, juhatuse liige EELK Tallinna Peeteli koguduses. Olen koguduses inimestelt küsinud ja üritanud teada saada, miks sa peatasid EELK Tallinna Peeteli koguduses oma liikmeks olemise? Kas on see seotud sinu töökoha vahetusega? On igasugu arvamusi ja jutte. Kas sa oleks nii kena ning annaksid mulle vastuse. NB! Minu järelpärimine on ametlik ja teavitan ,et Sinu vastuse kavatsen läbiarutada juhatuse koosolekul. Eesmärgiga lõpuks kummutada "külajutud"

Inge Ojala

29 märts 2010

püüan vastata küsimustele

eks see on keeruline lugu ja ausalt öeldes ei tahaks üldse seda teemat puudutada, palju aega on mööda läinud ja tahaks unustada. Mõtlesin pikalt ,kas üldse vastata, sest ega ma ise pole ka kõike elus õigesti teinud. Ja olen ka üks vigadega inimene, nagu me kõik. Alguses oli kõik kaunis ja hea ,nagu ikka lugudes ,hiljem muutus asi keeruliseks. Kuna mina tegelesin lastega siis saan vastata ainult selles kontekstis. Eks Ta läks ikka väga raskeks ,see õhkkond ,milles pidin töötama. Psüühiliselt olin täitsa läbi, Mati juhtimisstiil oli-on väga kummaline, selline tunne on ,et see on nagu Tema isiklik firma , ega minuga viimased 2-3.aastat nõu ei peetud ,ei majandus ega laste kasvatusküsimustes ,kuigi lapsed said korralikku pearaha iga kuu , umbes 6000 .eeki-laps, pidin ikka ise otsima rahastamist laste huviala ringide ja haridusprojekti jaoks ,see oli see vene lapsed eesti kooli, seal oli nii keeleõpet vaja kui toetatud õpetamist eesti kooli minnes, kui tagasi mõtlen ,siis imestan isegi ,et kuidas vastu pidasin ,Issanda abiga. Vahel tehti ikka väga rumalaid otsuseid, teadsi juba ette ,et need ei tööta ,algul püüdsin sinimsilmselt ikka sõna võtta ,aga mind ei kuulatud. Olgu mainitud ,et rääkisin mitmeid kordi ka Õpetaja Avo Üprusega nendest asjadest ,aga midagi ei muutunud, äkki ei võetud mind tõsiselt...ei tea, mis inimeste peas toimub. Praegu Mareku kirja lugedes sain aru ,et Peetelis pole midagi muutunud ,probleemid ja olukorrad on samad... aga selle jama sisse tagasi küll ei tahaks. Hea elukooli sain küll ,tean täpselt milline juht ma ei taha ega tohi olla, inimestest peab lugu pidama ,mitte õpetama neid endast sõltuma ...ja kõik siin ilmas ei ole äraostetav. Tuleb veel meelde see ,kuidas tihti kasvatajatega lastele saadetud humanitaarabi või magusat peitsime voodite alla ,et Mati ära ei viiks sinna kuulsasse kuurialusesse kiriku kõrval, need olid sihtotstarbelised saadetised...eks võiks ju memeuuaritada terve raamtu jagu ,aga on sel mõtet....lisan veel et see ei ole mitte ühe elus kibestunud naise vaatenurk , olen õnnelikus abielus 4-väikse lapse ema, soovin kõigile jaksu ja jõudu ning kena kevadet, Inge Ojala-Pihlaja, Päästearmee Eestis ,Sotsiaaltöajuht.

Tere Inge !

Täna sind ja vabanda kui pidid midagi ebameeldivat minevikust taas üle elama.

Minu viimane küsimus ,kas sina usaldaksid Mati Sinisaart esindama EELK Tallinna Peeteli kogudust , Tallinnas? Eestis? või välismaal esindades Eestit?

Aitäh Algis

mulle tundus imelik juba Peetelis töötades ,et räägiti aastaid ühte ja sama teksti nii linnale kui välismaal, kuigi olime edasi arenenud, tekst jäi ikka samaks... et raha ei ole. Tundus nagu me ei räägi õigesti , aga see pole ju aus annetajate suhtes. Eriti tähelepanelik peaks olema sihtotstarbeliste annetustega. Ei pea olema kogu aeg opositsioonis teiste institutsioonidega, ei

pea tõestama ,et teised on pahad ja meie head. Suhted eri asutustega on väga tähtsad, mõnikord peab ka oskama kaotada nii rahas kui muidu ,et häid suhteid hoida.On väga tähtis ,millist infot liigub asutuse kohta.

Ma arvan ,et kogudus ise on valinud ja otsustab , kes keda ja kus esindab.Inimeste enda otsustada ,millist elu nad tahavad elada, muutused on alati valulikud ,aga tasuvad end kuhjaga ära.Nii et viskan lumepalli tagasi ,sorry.

*Translation*

29.03.2010

Dear Inge Ojala !

I am Algis Ventsas, member of the Board of EELC Tallinn Bethel Church. I have been asking from the people in congregation and tried to understand, why did you suspend your membership in EELC Tallinn Bethel congregation? Is it in connection with your changing of employment? There are all sorts of opinions and rumors. Would you kindly give me an answer to these questions?

NB! My inquiry is official and I inform you, that intend to discuss your answer at the meeting of the Board. With the aim to put an end to "rumors".

Dear Algis!

I try to answer your questions.

It is a rather complicated story and honestly, I would not like to touch this matter at all any more, plenty of time has passed by and I'd like to forget about it. I thought for a long time before I decided, whether to answer at all, for there are many things I have not done right myself as well. And I am a human being with many faults, as we all are. At the beginning everything was beautiful and good, as in tales it always is, things became complicated later on. As I was working with the children, I can answer only in this context. I must admit, that the atmosphere where I had to work became rather difficult to bear.

Psychologically I was worn out, Mati's leadership style was/is, it leaves the impressions as it was his personal company; during last 2-3 years they did not discuss with me neither the management matter or about the children's upbringing. Yet the children received a good capitation fee every month, ca 6000. - EEK per child, I still had to look for financing of the children's hobby groups and also for the education project – it was that Russian children should go to Estonian school, here we needed the language teacher as well as supported teaching when going to an Estonian school; when I recollect it, I'm wonder myself how did I stand it all – with the help of the Lord? Sometimes were received rather stupid decisions, I knew already beforehand, that these will never work; at the beginning I blue-eyedly tried to speak up, but they never listened to me. I must admit, that several times I discussed these things with priest Avo Üprus as well, but nothing changed; maybe they did not take me seriously... I don't know what occur in people's minds. Now, reading Marek's letter

I understood, that nothing has changed at Bethel's, the problems and situations are still the same... but I'd never be back in that absurdity. Yes, I learned a good lesson, I know exactly which kind of a leader I do not want to be and can not be, one has to respect

people and not to teach people to depend on them... and everything in this world is not corruptible.

I also remember, when we once with the other educators had to hide the sweets or humanitarian aid sent to the children under the beds, so that Mati could not take it away to the notorious garage next to the church; this was special-purpose aid... well, it would be possible to write a whole book about these recollections, yet is there any point in it... I'd like to add that it is not the stand point of a bitter woman disappointed in life, I am happily married, the mother of four small children.

I wish you all a nice spring,

Inge Ojala-Pihlaja, Estonia Salvation Army, Social Work Leader

Dear Inge!

Thank you and I am sorry, if you had to live through again something unpleasant from the past.

My last question – would you trust Mati Sinisaar to represent EELC Tallinn Bethel congregation? In Tallinn? In Estonia? Or abroad as a representative of Estonia?

The fact that years by years they told one and the same stories to both the city government as well as abroad, seemed rather strange to me when I was working in Bethel already; although we had developed further, the text was always one and the same... there is no money. It seemed, as if we are not telling the truth, but it is not honest in respect to the donators. We should be especially careful concerning special purpose aid.

We do not have to be in opposition with the other institutions; we do not have to prove, that the others are bad and we are the good ones. Relationships with the other institutions are very important; sometimes we also must know how to loose, both in money and other things, in order to keep good relationships. It is very important, what kind of information is going round about the organization.

I think, that the congregation itself has made its choice and decides, who whom and where represents and what kind of life they want to live; the changes are always painful but worth of it. So, I throw the ball back, sorry.

#### 4. Pelgulinn House Owners Society

##### Pelgulinna Majaomanike Selts

Algis Ventsas  
Kotka 12  
11315 Tallinn

Teie 17.05.2010.a

Meie 19.05.2010a

Lugupeetud härra Ventsas!

Vastuseks Teie järelpärimisele Peeteli ja kohaliku elanikkonna suhete kohta võib kinnitada järgmist:

Kui 1993.a. kohalike elanike initsiatiivil taastatud Peeteli koguduse areng enne Avo Üpruse määramist koguduse kirikuõpetajaks 1996.a. oli olnud igati loogiline ja normaalne, siis alates A.Üpruse tulekust Peetelisse muutus olukord järsult. Tema nägemus kirikutööst on olnud absoluutselt teistsugune: kirikuhoonet hakati kasutama varjupaigana, pühapaevakooli töö lõpetati, koguduse liikmete arv langes. Kohalikud elanikud, keda kogudus ja kirikuõpetaja justkui teenima peaksid, on eemale tõrjutud või ise eemale tõmbunud, sest Peetelis toimuv on olnud neile vastuvõetamatu. Kirikuhoonet – arhitektuuri ja ajaloomälestist --- on ebaseaduslikult oma suva järgi ümberehitatud ning tänaseks on pühakojast ja selle ümbrusest kujunenud kohalikele üsna eemaletõukav ja hirmuäratav paik... Ümbruskonna elanike silmis ei oma vähimatki autoriteeti ei õpetaja Üprus ega ka koguduse esimees Mati Sinisaar; nende tegevus on mõjunud laastavalt kogu EELK mainele.

1999.a. asutasid Peeteli juhtfiguurid Avo Üprus ja koguduse esimees Mati Sinisaar Kristliku Sotsiaalkeskuse kasutades selleks 4 enda kontrolli all olevat juriidilist isikut. Väliselt heategevuslik, sisult äriiline ettevõtmine, kus lapsi kasutatakse humanitaarabi kerjamisvahendina, on muutunud Peeteli kirikus põhitegevuseks; traditsiooniline koguduse töö on muutunud mitmendajärguliseks.

Viimaste aastate ilmekamaid näiteid A.Üpruse arrogantselt suhtumisest ümbruskonna elanikkonda on Preesi 5/7 detailplaneering, millega kavandati arhitektuuri ja ajaloomälestise Peeteli kiriku kaitsevööndisse rajada suuremahuline uushoone, Pelgulinna Majaomanike Selts pakkus kompromissvarianti, millest keelduti, seejärel vaidlustas meie selts detailplaneeringu kehtestamise kohtus. Vaidlus lõppes Pelgulinna Majaomanike Seltsi kasuks ning planeering tühistati. Kuna kavandatud hoone projekt oli valminud enneaegselt, on projekteerimistöodele kulutatud ca 1 miljon krooni Tallinna linna ja annetajate raha visatud tuulde. Nüüdseks on Peeteli poolt alustatud planeeringu uut varianti.

Seega oleme jõudnud olukorda, kus Pelgulinna kodanikud on olnud sunnitud asuma kohtuvaidlustesse kohaliku koguduse ja kirikuõpetajaga. See on üsnagi kurioosne ja pretsedenditu situatsioon... Vaevalt, et Pelgulinna asustajad, kes mõõdnud sajandi kolmekümnendatel aastatel ümbritseva kogukonna vaimse elu keskmeks rajatud Peeteli kiriku ehitamiseks vahendeid annetasid, oleksid osanud uneski näha, et ligi kolmveerand sajandit hiljem tuleb asumi elanikel Peeteli koguduse ja kirikuõpetajaga kohut käima hakata...

Filosoofiliselt lähenedes on Peeteli kirik ja krunt Pelgulinna rahva ühine vara, mitte Sinisaare-Üpruse isiklik omand. Just nii tulebki sellesse suhtuda. Paraku oleme jõudnud analoogsesse

May 22, 2010

[FOR SUPPORTERS OF BETHEL CONGREGATION  
CHILDREN WORK]

olukorda 1930.-ndate aastatega - kui toona kohalikud elanikud annetasid vahendeid Peeteli kirikuhoone ehitamiseks, siis seekord annetati kohtukuludeks - Peeteli päästmiseks. Loodame väga, et lõpuks ka EELK juhtfiguurid mõistavad olukorra tõsidust ning astuvad edaspidi ka omaltpoolt vajalikke samme kujunenud situatsiooni normaliseerimiseks.

Lugupidamisega,

Külli Onton

Pelgulinna Majaomanike Seltsi juhatuse liige

*Translation*

### **Pelgulinna House Owners Society**

Algis Ventsas

Kotka 12

113 115 Tallinn

You 17.05.2010.a.

We 19.05.2010.a.

Dear Mr. Ventsas!

In response to your inquiry about the relationship of Bethel Church and the local community we confirm the following:

As in 1993 the development of Bethel congregation, restored on local inhabitants' initiative, had been quite logical and normal – before Avo Üprus was appointed as the priest of the congregation in 1996, then since A.Üprus came to Bethel church the situation changed drastically. His vision of church work has been absolutely different: the church building was used as a shelter, Sunday school activities ended, the number of congregation members decreased. Local inhabitants, whom the congregation and the pastor should serve, are

alienated or withdrawn themselves, for what is going on in Bethel church has been unacceptable for them. The church building – as architectural and historical monument – has been illegally altered on their own judgement and by today the house of God and its surroundings have become a rather revolting and dreadful place for the locals... Nor pastor Üprus, neither the leader of the congregation Mati Sinisaar have no authority in the eyes of the neighborhood; their activities have had devastating effect upon the reputation of the whole EELC.

In 1999 the leading figures of Bethel Avo Üprus and the leader of the Congregation Mati Sinisaar established the Christian Social Centre, using for that purpose 4 legal bodies, which were under their control. Outwardly beneficiary, practically a commercial undertaking, where the children are used as means for begging humanitarian aid, has become the main activity of Bethel Church; traditional congregation work has remained secondary.

One of the most significant examples of A.Üprus's arrogant attitude toward neighbourhood inhabitants, is the detailed plan of Preesi 5/7, according to which into the protected zone of the architectural and historical monument, the Bethel church building was planned to build a new structure of large cubature; Pelgulinn House Owners Society proposed a compromise variant, which was rejected; hence our society contested the adoption of the detail plan in court. The dispute ended in favor of Pelgulinn House Owners Society and the plan was repealed. As the project of the planned building was completed prematurely, on the design works has been wasted cà 1 mln EEK of Tallinn's and the donators' money. By now the Bethel church has initiated a new variant of the plan.

Hence we have come to the situation where the citizens of Pelgulinn have been forced to start court action with the local congregation and priest. It is a rather curious and unprecedented situation... Hardly, the settlers of Pelgulinn, who in the 30ies of the last century donated means for building Bethel church, established as the centre of spiritual life of the surrounding community, could have even dreamed that about three-quarters of century later the inhabitants of the urban region have to be in litigation with Bethel congregation and priest...

Philosophically approaching, Bethel church and the lot are the common property of Pelgulinn people and not a private property of Sinisaar-Üprus. That is the proper way to approach that

May 22, 2010

**[FOR SUPPORTERS OF BETHEL CONGREGATION  
CHILDREN WORK]**

---

problem. Regrettably, we have reached the analogous situation with 1930-es – as then the local inhabitants donated means for building Bethel church, there now they had to contribute for legal costs – to save the Bethel church.

We deeply hope that in the end also the leading figures of EELC realize the severity of the situation and hereafter take the necessary steps from their side in order to normalize the current situation.

Respectfully,

Küllli Onton

Member of the Board of Pelgulinn House Owners Society

## 5. Tallinn, Social and Health Service

Hr. Uku Torjus  
Tallinna Sotsiaal- ja Tervishoiuamet  
Hoolekandeosakond  
Osakonna juhataja  
Narva mnt. 11d  
10151 Tallinn

27.aprill 2010

Lp. Uku Torjus,

pöördun Teie poole Peeteli Kiriku Sotsiaalkeskuse lastetöö küsimuses. Peeteli Kiriku Sotsiaalkeskuses osutatakse alates 1999. aastast lastekodu- ja laste päevakeskuse teenust. Keskuse tööd on aastatel 1999 kuni 2001 toetanud ka Tallinna Sotsiaal- ja Tervishoiuamet. Tegevuse algusest kuni käesoleva ajani on Keskus pidevalt võtnud hooldusele ning andnud kasuperedesse vanemliku hoolitsuseta jäänud lapsi. Kahetsusväärset puudub Keskusel aga koostöö sotsiaalametiga ning Keskuse töö tutvustamise kaudu on paljudesse välisriikidesse jõudnud negatiivset informatsiooni ja halvustamist Eesti Vabariigi sotsiaalhoolekande süsteemi kohta.

Keskuse tegevuse riikliku toetuse puudumine on tõstatanud mitmeid vastuolulisi seisukohti ja küsimusi nii koguduse välissponsorite hulgas.

Sooviksin väga teada teie seisukohta, miks linn hiljem loobus toetamast Peeteli Kiriku Sotsiaalkeskuse lastetööd ning kas on võimalik, et Tallinna Sotsiaal- ja Tervishoiuamet võiks veel tulevikus rahastada nt Keskuse päevakeskuse teenust, millistel tingimustel ja mahus. Kas peate otstarbekaks Keskuse soovi rajada Kiriku hoovile mitmekümnemiljoniline Keskuse nn. noortekodu?

Vajan teie seisukohta, et koguduse välissponsoritele selgitada, mis ei ole Keskuse töös aktsepteeritav ning millised on vajakajäämised koostöös vastavate riiklike struktuuridega.

Lugupidamisega,

Algis Ventsas

*Translation*

Mr. Uku Torjus

Tallinn Social Welfare and Health Care Department

Social welfare department

Head of the department

Narva mnt. 11d

10151 Tallinn

April 28, 2010

Dear Uku Torjus,

I turn to you in the question of the children work of Bethel Church Social Centre. Since 1999 in Bethel Church Social Centre have been offered the services of children home and day care centre.

During the years of 1999 until 2001 Tallinn Social Welfare and Health Care Department has also supported these activities. Since the beginning of these activities until present time the Centre has constantly taken to foster care and also given to foster families the children lacking parental care. Regrettably, the Centre does not co-operate with the Social Welfare and Health Care Department and through the Introduction of the work of the Centre there has reached many foreign countries a lot of negative information and derogation about the social welfare system of the Estonian Republic. Absence of state support to the activities of the Centre has raised several contradictory understandings and questions in the congregation as well as among the foreign donators of the congregation.

I'd very much like to get your opinion. Why the city later on stopped supporting the children work of Bethel Church Social Centre; would it be possible that Tallinn Social Welfare and Health Care Department might in the future finance for example the daily care service of the Centre, on what conditions and in what amount. Do you consider reasonable the Centre's wish to establish into the church-yard a so called youth home of the Centre, which would cost tens of millions?

I need your opinion, in order to explain the foreign donators of the congregation, what is not acceptable in the work of the Centre and what are the omissions in co-operation with the relevant state structures.

Best regards, Algis Ventsas

TALLINNA SOTSIAAL- JA TERVISHOIUAMET

Teie: 28.04.2010 nr

Algis Ventsas  
Kotka 12  
11315 TALLINN

Meie: 07.05.2010 nr 1.-10/376

Vastus pöördumisele

Lugupeetud härra Ventsas

Tallinna Sotsiaal- ja Tervishoiuamet saab koostööst Peeteli Kiriku Sotsiaalkeskusega teatada järgmist:

1. Amet ostis Peeteli Kiriku Sotsiaalkeskuselt lastekoduteenust aastatel 2001 - 2004. Amet oli sunnitud Peeteli Kiriku Sotsiaalkeskuselt lastekoduteenust ostma, sest lapsed, kes olid kinnistunud kiriku juurde läbi kiriku päevakeskuse tegevuse, keeldusid linna lastekodusse tulemisest, kuigi selleks olid võimalused olemas.
2. Eesti Vabariigi lastekaitse seaduse § 7 järgi toimub ühiskondlik lastekaitse koostöös sotsiaaltalitusega, lastekaitse seaduse ja sotsiaaltalituse põhimääruse sätteid arvestavalt. Peeteli Kiriku Sotsiaalkeskus on ajanud oma asja, ei ole juhindunud lastekaitse ega sotsiaalhoolekande seadusest, ei ole teavitanud kohalikku omavalitsust koheselt abivajavatest lastest ja peredest, ei ole arvestanud ameti ja linnaosade valitsuste lastekaitsetöötajate ettepanekutega, on korraldanud omavoliliselt laste hooldamist sotsiaalkeskuses ja kasuperedes.
3. Peeteli Kiriku Sotsiaalkeskuse eesmärgid ei ühti Tallinna linna vajadustega. Sotsiaalkeskuse soov on rajada noortekodu, mis sisuliselt on lastekodu. Laste arv, kes vajavad hooldamist lastekodus, väheneb Tallinnas pidevalt. Vajadus täiendavate lastekodukohtade järele puudub. Vanemliku hoolitsuseta lapsed paigutatakse hooldusele Tallinna Lastekodus, kus on head hooldustingimused ning väga hea koostöö lapsi teenusele suunanud linnaosade valitsustega ja laste sünnijärgsete peredega. Erinevalt Peeteli Kiriku Sotsiaalkeskusest, võtab Tallinna Lastekodu vastu ka tõsiste käitumisprobleemidega lapsi.

4. Peeteli Kiriku keldrikorrusel ja teisel korrusel on ruumid sisustatud laste ööpäevaringseks hoolduseks. Laste hoolduse korraldamine nendes ruumides toimub kokkuleppel lapsevanematega. Amet sellist teenuse osutamist õigeks ei pea, sest
  - ☞ laste ööpäevaringse hoolduse korraldamine poolkeldrikorrusel ei ole normaalne;
  - ☞ lastevanematega kokkuleppel laste hooldamine viib varem või hiljem laste eraldumiseni perekonnast ja asendushoolduse vajaduse tekitamiseni;
  - ☞ Tallinna linnal on piisavalt turvakodu ja lastekodu kohtasid.
5. Päevakeskuse teenuse osutamine Peeteli Kiriku Sotsiaalkeskuses võiks jätkuda. Amet ei ole selle teenuse osutamist rahaliselt toetanud, kuid toetust on andnud Põhja-Tallinna Valitsus.

Lugupidamisega  
(allkirjastatud digitaalselt)  
Vahur Keldrima  
Juhataja  
Reet Rääk 645 7802  
[Reet.Raak@tallinnlv.ee](mailto:Reet.Raak@tallinnlv.ee)

*Translation*

TALLINNA SOTSIAAL- JA TERVISHOIUAMET

You: 28.04.2010 nr

Algis Ventsas  
Kotka 12  
11315 TALLINN

We: 07.05.2010 nr 1.-10/376

Answer to the inquiry

Dear Mr. Ventsas

Tallinn Social Welfare and Health Care Department can state about the co-operation with Bethel Church Social Centre the following:

1. The Department bought children home service from the Bethel Church Social Centre in 2001 - 2004. The Department had to buy children home service from Bethel Church Social Centre, for the children, who had become fixed to the church through the church day care centre activities, refused to come to the municipal children's home, although there existed all the necessary conditions.
2. According to the Republic of Estonia Child Protection Act § 7 child protection by non-governmental organizations takes place in co-operation with social services department and considering the provisions of the statutes of the named Act and social services department. Bethel Church Social Centre has lead things on its own way and has not followed the Acts of child protection or social welfare, has not immediately informed the local government about the children and families that need help, did not take into consideration the proposals of the child protection workers of the Department and city district governments, they have without authorization organized children's foster care in the Social Centre and in foster families.
3. The aims of Bethel Church Social Centre do not coincide with the needs of the city of Tallinn. Social Centre wants to establish a youth home, which in essence is a children's home. The number of children, who need to be taken care in children's home, decreases in Tallinn constantly. There is no need for additional children's home places. The children lacking parental care are placed to care in Tallinn Children's Home, where there are good conditions for taking care of them and very good co-operation with the city district governments that have sent the children to the service and with the children birth families. Unlike Bethel Church Social Centre, Tallinn Children's Home receives also the children having severe behavioral problems.
4. The rooms in the basement of Bethel church and on the first floor are equipped for twenty-four hour care. Organizing child care in these rooms takes place based on agreement with the parents. The Department does not consider it right offering the service this way, for:
  - Organizing twenty-four hour care in half basement floor is not normal;
  - Child care by agreement with the parents sooner or later leads to separation of a child from the family and creating the need for substitute care;
  - The city of Tallinn has sufficiently shelter and children's home places.
5. Providing day care centre service in Bethel Church Social Centre might continue. The Department has not financed that service, but Northern-Tallinn District Administration has supported it.

Respectfully,

*(digitally signed)*

Vahur Keldrima  
The Head

Reet Rääk 645 7802  
[Reet.Raak@tallinnlv.ee](mailto:Reet.Raak@tallinnlv.ee)

## 6. Harju County Governor

Pr. Ülle Rajasalu

Telefon: 611 8701  
Harju Maavalitsus  
Roosikrantsi 12  
15077 TALLINN

22.aprill 2010

Lugupeetud maavanem,

pöördun Teie poole Peeteli Kiriku Sotsiaalkeskuse lastetöö küsimuses. Peeteli Kiriku Sotsiaalkeskuses osutatakse alates 1999. aastast lastekodu- ja laste päevakeskuse teenust. Nende aastate kestel on Keskus pidevalt võtnud hooldusele ning andnud kasuperedesse vanemliku hoolitsuseta jäänud lapsi.

EV Lastekaitse Seadus sätestab, et lastekaitse tagatakse riiklike, omavalitsuslike ja ühiskondlike organite kaudu.

Vastavalt Eesti Vabariigi Lastekaitse Seadusele, I Üldsätted §7 toimub ühiskondlik lastekaitse koostöös sotsiaaltalitusega ning nimetatud seaduse ja sotsiaaltalituse põhimääruse sätteid arvestavalt. Kahetsusväärset puudub Keskusel aga koostöö sotsiaalametiga ning samuti ei teostata Keskuses laste hoolduse suhtes mingit järelevalvet.

Palun Teid võtta seisukoht EELK Tallinna Peeteli Kiriku Sotsiaalkeskuse lastetöö suhtes ning teostada järelevalvet lastehoolekande tasandil.

Lugupidamisega,

Algis Ventsas

Tel:56 204 707

[psoriaasikeskus@gmail.com](mailto:psoriaasikeskus@gmail.com)

Kotka 12 ,11315

Tallinn

*Translation*

Mrs. Ülle Rajasalu

Tel: 611 8701  
Harju County Government  
Roosikrantsi 12  
15077 TALLINN

April 22, 2010

Dear County governor,

I turn to you in the question of the children work of Bethel Church Social Centre. Since 1999 in Bethel Church Social Centre are offered the services of children home and day care centre. During these years the Centre has constantly taken to foster care and given to foster families the children lacking parental care.

Republic of Estonia Child Protection Act provides that protection of children is ensured through the state, local government and non-governmental bodies.

According to the Child Protection Act of the Republic of Estonia, I General provisions §7, child protection by non-governmental organizations takes place in co-operation with social services department and considering the provisions of the statutes of the named Act and social services department. Regrettably, the Centre has no co-operation with the social services department and no state supervision is exercised over child welfare in the Centre.

I ask you to form an opinion about EELC Tallinn Bethel Church Social Centre children work and to exercise supervision on the level of child welfare.

Respectfully,

Algis Ventsas

Tallinn

HARJU MAAVANEMA  
K O R R A L D U S

24.05.2010 NR.924-K

## Järelevalveotsus

Seoses Sotsiaalhoolekande seaduse § 7 lõikest 2 ja §-st 38 tuleneva kohustusega teostada järelevalvet sotsiaalteenuse osutamise kvaliteedi üle maakonnas, viis Harju Maavalitsuse haridus- ja sotsiaalosakonna sotsiaal- ja tervishoiutalituse juhataja 07.05.2010 läbi paikvaatluse MTÜ Peeteli Kiriku Sotsiaalkeskuses (registrikood 80118750), tutvudes teenuse osutamise kohaga (Preesi 5/7, 10320 Tallinn), vesteldes asutuse direktoriga ning kontrollides teenuse osutamisega seotud dokumente.

Kontrolli tulemusel on tuvastatud, et teenuse osutaja ei ole järginud kõiki sotsiaalhoolekande seaduse nõudeid hoolekandeaustusetele ja asenduskodule, samuti ei saa teenuste osutamist täies mahus tunnistada vastavaks Tallinna õigusaktidele.

Keskuse põhikirja mõned punktid on aegunud ja/või ei ole kooskõlas kehtiva seadusandlusega (p 2.1- Keskuse struktuuriüksus on lastekodu; p. 3.1.1 ja 3.1.2 – Keskuse ülalpidamise allikateks on lastetoetused, abirahad, alimendid).

**Märkus:** korrigeerida põhimäärust puudulike punktide osas.

Selgus, et kaebuste esitamise korda ei ole kinnitatud ning samuti ei ole kasvandikke otseselt teavitatud kaebuste esitamise võimalusest õiguskaitse- ja järelevalveasutustele.

**Märkus:** paigutada stendile vaiete ja/või kaebuste esitamise võimalusi tutvustav informatsioon koos vajalike kontaktandmetega.

Järelevalve käigus ilmnes, et ohtlikud esemed (käärid) asusid laste tubades kujutades seeläbi riski turvalisusele.

**Märkus:** laste ohutuse tagamiseks paigaldada vastavuses tervisekaitseõuetega ohtlikud esemed laste eluruumidest väljapoole turvalisse kohta

Selgus, et laste toimikud sisaldavad delikaatseid isikuandmeid, kuid teenuse osutaja ei ole registreeritud Andmekaitse Inspeksioonis delikaatsete isikuandmete töötlejana.

**Märkus:** registreerida Andmekaitse Inspeksioonis delikaatsete isikuandmete töötlemine või määrata isikuandmete kaitse eest vastutav isik vastavuses isikuandmete kaitse seadusega.

Arvesse võttes asjaolu, et lastele makstakse taskuraha 200 krooni kuus, peab olema kehtestatud maksmise kord.

**Märkus:** kehtestada kord taskuraha määramise suuruse ja sageduse kohta.

Märkuste täitmise aeg: esimesel võimalusel.

Lähtudes eeltoodust ning Vabariigi Valitsuse seaduse § 84 punkti 16 ning Sotsiaalhoolekande seaduse § 38 alusel:

1. Lõpetan maavanema järelevalve MTÜ Peeteli Kiriku Sotsiaalkeskuses (registrikood 80118750) poolt osutatava sotsiaalteenuse kvaliteedi üle ning teen kontrollitavale järgmised ettekirjutused:
  - 1.1 viia kasvandike elamistingimused ühte tупpa paigutatud laste arvu osas ning laste eluruumide asukoha osas vastavusse sotsiaalministri 20. juuli 2007. a määrusega nr 59 "Tervisekaitseõuded asenduskoduteenusele";
  - 1.2 osutades asenduskoduteenust viia teenuse osutamine vastavusse sotsiaalhoolekande seaduses sätestatule (tegevusluba) ning lapse vastuvõtmisel asenduskoduteenusele nõuda omavalitsuselt juhtumiplaani olemasolu;
  - 1.3 pidada kinni sotsiaalministri 9.01.2001 määruses nr 4 seatud kohustusest hoolekandeadutuse töötaja tervisekontrolli läbimise osas.

Täitmise aeg: kohe.

2. Harju Maavalitsuse haridus- ja sotsiaalosakonna sotsiaal- ja tervishoiutalitusele teha käesolev korraldus teatavaks MTÜ Peeteli Kiriku Sotsiaalkeskuses;
3. Korraldusele on võimalik esitada haldusmenetluse seaduse § 71 alusel vaie 30 päeva jooksul arvates korralduse teatavastegemisest või kaebus Tallinna Halduskohtule halduskohtumenetluse seadustikus sätestatud tingimustel ja korras.

Ülle Rajasalu  
Maavanem

*Translation*

Tallinn

Supervision Decision

In connection with the obligation pursuant to the Social Welfare Act § 7 clause 2 and § 38 to exercise supervision over the quality of providing social service in the county, the Head of Harju County Government education and social department social and health care service has on the 07.05.2010 carried through the on-the-spot-visit of inspection in NGO Bethel Church Social Centre (register code 80118750), examining the place of service providing (Preesi 5/7,

10320 Tallinn), talking with the director of the Centre and inspecting the documents concerning the providing of the service:

As the result of the inspection has been established that the service provider has not followed all the requirements of social welfare act for welfare institutions and substitution home, also it is not possible to declare the providing of service fully admissible to Tallinn Legislation.

Some clauses of the Statutes of the Centre are obsolete and/or are not in accordance with the valid legislation (p 2.1- structural unit of the Centre is Children's home; p. 3.1.1 ja 3.1.2 – the sources of maintaining the Centre are child benefits, benefits, alimony).

**Comment:** adjust the Statutes concerning the incorrect clauses.

Became evident that the procedure of filing an appeal is not fixed and neither are the wards directly informed about the possibility to file an appeal to law enforcement authorities and supervisory agencies.

**Comment:** place on the stand the information introducing the possibilities to file appeals and/or challenges, provided with necessary contact data.

In the course of supervision became evident that dangerous objects (scissors) were in children's rooms, thus presenting risk to safety.

**Comment:** In order to ensure children's safety in accordance with the requirements of health protection to put away from the children's living rooms to a safe place the dangerous objects.

Became evident, that the files of the children comprise sensitive personal data, but the service provider is not registered in Data Protection Inspectorate as a processor of sensitive personal data.

**Comment:** to register processing of sensitive personal data in the Data Protection Inspectorate or assign the person responsible for personal data protection in accordance with the personal data protection act.

Taking into consideration the fact that the children are given pocket money 200 EEK per month, there must be fixed the arrangement for paying.

**Comment:** establish the procedure of determining the amount and frequency of paying pocket-money.

Exercise date of comments: at the first opportunity.

Pursuant to the abovementioned and based on the Government of the Republic Act § 84 clause 16 and Social Welfare Act § 38:

1 I conclude the county governor's supervision over the quality of the social service provided by NGO Bethel Church Social Centre (register code 80118750) and issue the controlled the following precepts:

1.1 bring into accordance with the Social Minister's 20.07.2007 resolution nr 59 "Health protection requirements for substitute home service" the living conditions of the wards concerning the number of children placed into one room and the location of the children living rooms;

- 1.2 providing substitute home service, to bring the providing of the service into accordance with the Social Welfare Act provisions (activity licence) and at taking the child to substitute home service, to require the case plan from the local government;
- 1.3 adhere to the Social Minister's 9.01.2001 resolution nr 4 established obligation concerning welfare institution worker medical examination.

Exercise date: immediately.

2. Harju County Government education and social department social and welfare service to communicate the current order to NGO Bethel Church Social Centre;
3. based on the Administrative Procedure Act § 71 it is possible to issue a challenge to the order within 30 days since communication of the order or file an appeal to Tallinn Administrative Court in compliance with the conditions and procedure provided in the Code of Administrative Court Procedure.

Ülle Rajasalu  
County governor

**7. Statement about exercised supervision of the quality of the social service provided in  
HARJU MAAVALITSUS**

Hr. Algis Ventsas  
Kotka 12  
11315

26.05.2010 nr.5-6/1954

Kaaskiri

Vastusena Teie 22.04.2010 poolt Harju Maavanemale esitatud avaldusele edastame Teile Harju Maavanema 24.05.2010 korralduse nr 924-K „Järelevalveotsus“ ning õiendi järelevalve teostamisest sotsiaalteenuse osutamise kvaliteedi üle MTÜ Peeteli Kiriku Sotsiaalkeskuses.

Lugupidamisega

Kaja Rattas  
Sotsiaal- ja tervishoiutalituse juhataja  
6118551

Lisad: õiend 6 lehel, 1 eks

**Õiend järelevalve teostamisest sotsiaalteenuse osutamise kvaliteedi üle****MTÜ Peeteli Kiriku Sotsiaalkeskuses****I. Sissejuhatav osa**

Järelevalve sotsiaalteenuse kvaliteedi (edaspidi *Teenus*) osutamise üle MTÜ Peeteli Kiriku Sotsiaalkeskuses (Preesi 5/7, 10320 Tallinn, registrikood 80118750) (edaspidi *Keskus*) on läbi viidud Sotsiaalhoolekande seaduse § 7 lg 2 ja § 38 ning Vabariigi Valitsuse seaduse § 84 punkti 16 alusel. Järelevalvet teostasid 07.05.2010.a. Harju maavalitsuse haridus- ja sotsiaalosakonna sotsiaal- ja tervishoiutalituse juhataja (Kaja Rattas) ning Harju maavalitsuse sotsiaal- ja tervishoiutalituse peaspetsilist (Tiiu Pärnmäe).

Järelevalve läbiviimise eesmärgiks oli kontrollida Sotsiaalhoolekande seaduses ja selle alusel kehtestatud õigusaktides sätestatud nõuete täitmist kohapeal, saada järelevalve teostamiseks vajalikku teavet, tutvuda dokumentide originaalidega ja saada neist ära kirju, teha vajadusel teenuse osutajale ettepanekuid ja ettekirjutusi. Samuti tutvumine laste elukeskkonnaga; laste tervise kaitse ja muude põhiõiguste tagamise kontrollimine.

Järelevalve juures viibis ja selgitusi andis Keskuse direktor, Mati Sinisaar.

**II. Teenuse osutamise kirjeldus ja analüüs**

Finantseerimine ja koostöö

Keskus on eraõiguslik hoolekandeesutus, kus põhikirja alusel osutatakse: päevakeskuse-, turvakodu-, ja lastekodu teenust; samuti on keskuses tugikorterid ning arenduskeskus.

Keskuse eelarve kujuneb põhiliselt regulaarselt laekuvates toetustest ja annetustest. Toetajateks on enamasti ettevõtjad ja eraisikud nii välisriikidest kui ka Eestist. Samuti on Keskuse tööd toetanud Põhja-Tallinna Valitsus, kuna suurem enamus Keskuse teenuse kasutajaid on Põhja-Tallinna elanikud. Eelarvest ligi poole moodustab palgafond.

Keskuse põhikirjaga on sätestatud, et oma tegevustes juhindub Keskus Eesti Vabariigi põhiseadusest, sotsiaalhoolekandeseadusest, koolieelsete lasteasutuste seadusest ja teistest Eesti Vabariigi seadustest ja õigusaktidest ning Tallinna õigusaktidest.

Tallinna Sotsiaal- ja Tervishoiuamet (edaspidi Amet) ostis Keskuselt lastekoduteenust aastatel 2001 - 2004. Ameti kinnitusel ei ole regulaarset laabuvat koostööd Keskusega olnud ning teenust osteti omal ajal kuna, teatud lapsed olid kinnistunud päevakeskuse tegevusse ning keeldusid Tallinna Lastekodusse tulemisest, kuigi selleks olid võimalused olemas.

Ka vastavalt Lastekaitse seadusele § 7 toimub ühiskondlik lastekaitse koostöös sotsiaaltalitusega, lastekaitse seaduse ja sotsiaaltalituse põhimääruse sätteid arvestavalt. Ameti kinnitusel on aga Keskus tegutsenud omavõlliselt ning Keskuse eesmärgid ei ühti Ameti vajadustega.

#### Asenduskodu- ja päevakeskuse teenus

Tallinna Linnavalitsuse 31.01.2007a korralduse nr 161-k "sotsiaalteenuste nõuete kinnitamine" viitab asenduskoduteenuse nõuete juures sotsiaalhoolekande seadusele ning selle alusel välja antud sotsiaalministri määrustele.

Lastekodu (asenduskodu) teenust osutatakse turvalise elu- ja õpikeskkonna kujundamiseks lastele ja noortele, kelle kodune olukord ei toeta toimetulekut ja hariduse omandamist.

Kuigi Keskuse juhataja nimetas oma põhiliseks tegevuseks asenduskodu teenust (lastekodu), ei ole Keskusele väljastatud vastavalt kehtivale korrale tegevusluba asenduskoduteenuse osutamiseks. Keskuses elamine toimub lapsevanemate ja kohaliku omavalitsuse nõusolekul. Järelevalve teostamise ajal osutati (asenduskodu)teenust kokku 12-le lapsele.

Lisaks ülaltoodule suunab lapsi Keskusesse, kui sotsiaalprogrammi, ka alaealiste komisjon. Sotsiaalprogramm Keskuses vastab vaid osaliselt Tallinna Linnavalitsuse 31.01.2007a korralduses nr 161-k kinnitatud sotsiaalprogrammi sisu kirjeldusele, kuid mitte teistele nimetatud alapeatüki kriteeriumitele (n teenuse maht, protseduurid teenusele saamiseks jm). Oluliseks tuleb pidada asjaolu, et Keskuse põhikirjas ei ole kinnitatud tegevusalana sotsiaalprogrammi, seega on selle teenuse osutamine vastuoluline.

Alates 01.01.2008 .a kehtib nõue, et asenduskoduteenusel viibiva lapse osas peab olema lapsele koostatud juhtumiplaan (juhtumiplaani vorm kinnitati 6. mail 2008). Arvestades asjaolu, et osa Keskuses elavaid lapsi viibivad teenusel enne juhtumiplaani nõuet, siis peaks nende laste osas olema vähemalt arenguplaanid. Selgus, et Keskuses elavatele lastele ei ole koostatud juhtumiplaani ega arenguplaani ei iseseisvalt ega koostöös kohaliku omavalitsusega.

Ülaltoodut arvesse võttes jääb selgusetuks, kuidas on ilma arenguplaanita võimalik kirjeldada/hinnata lapse igapäevaelu rutiini ja nende muutumist, sündmuseid ja lapse arengus olulisi muutuseid. Juhtumiplaan pole mitte ainult dokumenteerimise vahendiks, vaid eelkõige töövahendiks, kuna selle koostamine ja üle vaatamine vastavalt sotsiaalhoolekande seadusele § 15<sup>4</sup> lg 4, eeldab Keskuse ja eestkosteesutuse regulaarseid kohtumisi laste heaolu hindamiseks. Nimetatud kohustusest ei ole kinni

peetud. Laste juhtumite mittedokumenteerimine tekitab olukorra, kus järelduste tegemine on väga erinev ja sõltub sellest, kes on lapse tugikasvataja.

Keskuse direktori hinnangul on neil piisav koostöö kõigi teenusel viibivate laste elukohajärgsete omavalitsustega. Vajadusepõhiselt lahendatakse tekkinud küsimused ja probleemid, toimuvad arutelud, sageli telefoni teel.

Laste toimikute ning muude dokumentide hoiustamiseks on Keskusel olemas lukustatavad raudkapid. Teenuselt lahkumisel ei anta lapse dokumente üle elukohajärgsele omavalitsusele, Keskusele jääb originaal toimikust, mida hoitakse eraldi lukustatud arhiiviruumis. Ligipääs dokumentidele on Keskuse direktoril, juhatajal ja sotsiaaltöötajal.

Pöörame tähelepanu asjaolule, et isikuandmete töötlemisel tuleb Keskusel lähtuda Andmekogude seadusest ja Isikuandmete kaitse seadusest. Näiteks sätestab sotsiaalministri 09.01.2001 määrus nr 4 "Laste hoolekande asutuse tervisekaitsenõuded" § 20 (1), et lapse vastu võtmisel hoolekandeaasutusse peab kohaliku omavalitsuse lastekaitsetöötaja esitama hoolekandeaasutuse juhatajale perearsti väljastatud tõendi. Viimane muudab laste toimikud delikaatsete andmetega dokumentideks, mispuhul peab Keskus registreerima delikaatsete isikuandmete töötlemise Andmekaitse Inspeksioonis. Delikaatsete andmete pikem loetelu on sätestatud Isikuandmete kaitse seaduses § 4.

Järelevalve käigus selgus, et Keskus ei ole teinud vastavat registreeringut Andmekaitse Inspeksioonis.

Keskusel on mitu püsivat koostööpartnerit välisriikide näol ning seetõttu on Keskusel võimalik korraldada igal aastal lastele reise välismaale- suvelaagritesse. Nendel puhkudel on kohalike omavalitsuste poolt lastega reisima volitatud Keskuse direktorit, teisi keskuse töötajaid ja vastuvõtva pere liikmeid, samuti on olemas lapsevanemate sellekohased kirjalikud nõusolekud. Aegajalt kaasatakse reisidele ka lapsevanemaid.

Päevakeskuse teenusesse kuuluvad laste järelaitamistunnid, eesti keele õpe, vaba aja sisustamine, söök, hügieeniprotseduurid ja peresuhete tervendamine. Päevakeskuse lastele osutatakse ka materiaalselt abi bussipiletite, ravimite, riiete ja jalanõude soetamisega. Lapsed osalevad erinevates laagrites keskuse kulul.

Päevakeskuse teenust osutatakse (st toitlustus, iseenda ja oma riiete pesemise võimalus) vajadusel ka (asenduskodu)teenusel viibivate ja päevakeskust külastavate laste emadele olenemata nende elukohast, tervislikust seisundist või muudest tunnustest.

Turvakodu teenust osutatakse vajaduspõhiselt perevägivalda või vanemate haiguse puhul.

Tugikorterite all mõistab keskus toetatud elamise teenust vanemliku hoolitsuseta noortele, kes on osalenud keskuse programmides. Iseseisvasse ellu siirdumise järel jätkub noorte sotsiaalnõustamine ja materiaalne ja emotsionaalne toetamine.

Arendustegevuse all mõistab Keskus tugiperede otsimist ja leidmist, laste ja nende perede toetamist nende elukeskkonnas, väljasõite, matku ja seikluskasvatust, laagreid kodu- ja välismaal, keeleõppes ja sotsiaalsete oskuste omandamise programmides osalemist.

### Elamistingimused

Teenust osutatakse kiriku ruumides: päevakeskuse ruumid ning pooled laste elamisruumid asuvad keldrikorrusel, mis on vastuolus sotsiaalministri 20. juuli 2007. a määrusega nr 59 "Tervisekaitsenõuded asenduskoduteenusele" § 2 (3), mille kohaselt ei tohi vastavad ruumid asuda keldri- ega soklikorrusel. Lisaks üldkasutatavatele ruumidele on olemas laste magamistoad (kolme-, kuni neljakohalised), mis on vastuolus ülalmainitud sotsiaalministri määrusega § 4 lõige 3 ("Ühes magamistoas ei tohi elada üle

kahe lapse"). Samasisuline säte sisaldub sotsiaalministri 9.01.2001 määruses nr 4 "Laste hoolekande asutuse tervisekaitseõuded" § 7 lõikes 8, mille kohaselt ei tohi koolikohustuslikku ikka jõudnud lapsi olla ühes toas rohkem kui 2.

Keskuse ruumid olid puhtad, kuid üsna jahedad; sisustus oli lastele eakohane, kuid üldmulje oli nukker ja tekitas sünge meeleolu - maja vajaks remonti. Keldrikorrusel, oli õhk pisut sumbunud.

Hoones on soe ja külm vesi, kanalisatsioon, tehisvalgustus ja loomulik valgustus. Pesemisvõimalused on olemas, samuti tualettruumid eraldi poiste, tüdrukute ning personali jaoks. Olemas on ühendusvõimalused side- ja arvutivõrgu süsteemiga.

Vaba aja veetmiseks on lastel võimalus nii väljaspool Keskust huviringides kui ka Keskuse eluruumides (n arvutituba). Ohtlikud esemed (n käärid) asusid laste tubades kujutades seeläbi riski turvalisusele.

Vastavalt sotsiaalministri 9.01.2001 määrusele nr 4 "Laste hoolekande asutuse tervisekaitseõuded" § 4 lõikele 2 ja 4 vastutab nii hoolekandeadasutuse juhataja kui ka kohalik omavalitsus, kelle hallataval maa-alal asub hoolekandeadasutus, hoolekandeadasutusele esitatud tervisekaitseõuete täitmise eest. Viimane kontrollkäik Põhja-Eesti Päästkeskuse Tuleohutusbüroo poolt on Keskuses läbi viidud 08.12.2009a - Keskusele on tehtud 3 ettekirjutust. Veterinaar- ja Toiduamet on viimati kontrollinud Keskust 30.12.2009a ning kontrollkäigu tulemusena teinud 4 ettekirjutust.

Vastavalt Tallinna Linnavalitsuse 31.01.2007a korraldusele nr 161-k "sotsiaalteenuste nõuete kinnitamine" punktile 1 "üldnõuded sotsiaalteenuse osutajale" peab sotsiaalteenuse osutamiseks kasutatavad ruumid vastama hoolekande- ja tervishoiuasutustele kehtestatud erinevatele nõuetele.

Ruumide sobivust teenuseks hindame keskmiseks, kuna eluruumid ei jätnud kodust muljet ning esines puudusi teenusel viibivate laste arengut toetavas, vajadusi arvestavas ning eakohases arengukeskkonnas.

Personal

Keskuses on 7 põhikohaga kasvatusala töötajat, üks lastekodu juhataja, kes tegutseb samuti kui kasvatusala töötaja, direktor ning lisaks abipersonal.

Laste kasvatustööga tegelevast personalist on kolmel kasvatajal kõrgharidus (neist ühel pedagoogiline), kahel kasvatajal keskharidus + läbitud abikasvataja koolitus, ühel töötajal keskharidus + läbitud nooremkasvataja koolitus, üks kasvataja on keskharidusega ja kahel töötajal on pedagoogiline või sotsiaaltöölane kõrgharidus omandamisel. Lisaks on hetkel lapsehoolduspuhkusel kolm töötajat, kellel kõigil on sotsiaaltöölane kõrgharidus.

Kõikide kasvatusala töötajate tervisetõendid nakkushaiguste suhtes tervisekontrolli läbimise kohta olid aegunud.

Koolikohustus ja Tervishoid

Teenusel viibimise peamine nõue on, et lapsed täidavad koolikohustust. Hariduse omandamine jätkub reeglina lapse nn päritolukoolis, hetkel on Keskuse kaks last vormistatud ka koduõppele (st õppetöö toimub Keskuses). Kooli- ja tagasisõiduks kasutatakse ühistransporti. Lisaks käib lapsi regulaarselt abistamas ning õppetöölalaselt juhendamas vabatahtlik eripedagoogika tudeng.

Lapsed saavad psühholoogilist abi koolipsühholoogidelt ja nõustamist kooli sotsiaaltöötajalt. Keskuses eraldi psühholoogi ei ole.

Perearsti vastuvõtul käivad lapsed koos Keskuse personaliga, vajadusel korraldatakse arstiabi osutamine raviasutuses. Lapse saabudes Keskusesse toimub esmane läbivaatus ja esmaabi andmine Keskuse personali poolt, meditsiiniõde Keskuse personali hulka ei kuulu.

Arvesse võttes Keskuses elavate laste ning päevakeskuse külastajate eripära hindame nakkushaiguste ohtu suureks ning nakatumiste ära hoidmisele on vaja suuremat rõhku panna (n mitte hoida kääre laste tubades).

Toitlustamine – Keskusel on oma korrekselt tunnustatud köök ning kogu toit valmistatakse kohapeal koka poolt. Toitu valmistatakse nii Keskuse püsielanikele kui ka päevakeskuse külastajatele. Kuna arvestuslikult on teada keskmine päevakeskuse külastatavus, siis valmistatakse toitu iga päev u 35 inimese tarvis, mis katab piisavalt kõikide teenuse kasutajate vajaduse.

#### Muude põhiõiguste tagamine

Suhtlemist lapsevanematega (n külastused) ja lähemate perekonnaliikmetega võimaldatakse Keskuse poolt alati, prioriteet on säilitada usalduslikud suhted kõikide osapoolte vahel. Keskuse töö suund on (võimalusel) ka lapsevanema toetamine. Helistamiseks kasutatakse telefoni personali ruumis.

Religioossete vaadete kujundamine ning järgimine on vabatahtlik. Samuti on Keskuses viibimine lastele vabatahtlik ning lapsed ei pea teenuselt lahkuma salaja (n aknast põgenema), kuna tegemist ei ole kinnise asutusega.

Tekkinud probleemidest räägitakse nn perenõupidamistel suuliselt ning Keskuse direktori kinnitusel ei ole kartust, et lapsed oma otsekoheuse ja julguse juures jätaksid mõne kaebuse esitamata. Siiski selgus, et kaebuste esitamise korda Keskuses kinnitatud pole ning samuti ei ole kasvandikke otseselt teavitatud kaebuste esitamise võimalusest õiguskaitse- ja järelevalveasutustele. Ka ei olnud Keskuse kodukorda (sotsiaalministri 09.01.2001 määrus nr 4 "Laste hoolekande asutuse tervisekaitseõuded" § 16 lg 1) tutvumiseks avalikult väljas.

Keskuse igal lapsel on oma tugikasvataja. Lisaks on lastel võimalik pöörduda oma murega nii Keskuse sotsiaaltöötaja, kui direktori jutule.

Keskuse juhataja kinnitusel maksab Keskus lastele ka taskuraha - 200 krooni kuus. Leiame, et seda tehes on käitunud laste huve arvestavalt, kuna taskuraha puudumine võib kaasa tuua lapse väärkuse alandamise.

Vägivalla esinemist Keskuses probleemina välja ei toodud, kuid mõningaid probleeme tunnistati seoses vargustega. Karistusmeetmetena kasutatakse Keskuses arvutikeeldu, taskuraha vähendamist, kinokeeldu jm - st hüvedest ilmajätmist. Eraldi korda laste taskuraha maksmise kohta kinnitatud ei ole.

#### Keskuse tegevust reguleeriv dokumentatsioon

Keskuse põhikirja mõned punktid on aegunud ja/või ei ole kooskõlas kehtiva seadusandlusega (p 2.1- Keskuse struktuuriüksus on lastekodu; p. 3.1.1 ja 3.1.2 – Keskuse ülalpidamise allikateks on lastetoetused, abirahad, alimendid).

### III. Kokkuvõte

Tuginedes järelevalve tulemustele tõdeme, et vaatamata Keskuse põhikirjas sätestatule, ei täideta paljusid kehtivates riiklikes õigusaktides või Tallinna õigusaktides kehtestatud nõudeid.

Vestlusest juhatajaga selgub, et nende hinnangul on Keskuse poolt lastele osutatavad teenused igati vajalikud ning Keskus näeb ammu vajadust noortekodu järele. Paraku on selle rajamine takerdunud mitme viimase aasta jooksul erinevate küsimuste taha, mille lahendamiseks Keskus on enda kinnitusele teinud kõik võimaliku. Keskuse direktor möönab, et uue hoone ehitamise ootuses on jäänud tegemata nii mõnedki vajalikud investeeringud praeguse Keskuse juures.

Selgitame, et Maavanem teostas järelevalvet Keskuse sisulise tegevuse üle, kuid ei anna käesolevaga hinnangut tegevuse laienemise osas. Selles suhtes tuleb selgusele jõuda eelkõige läbirääkimistes linnaga, kellega koostöö on nii Keskusele kui ka lastele oluline.

Keskus tegi Harju maavalitsusega järelevalve läbi viimisel igakülgset koostööd.

### **Märkused ja ettekirjutused**

Märkused:

1. korrigeerida põhimäärust käesolevas aktis välja toodud punktide osas;
2. paigutada Keskuses stendile vaiete ja/või kaebuste esitamise võimalusi tutvustav informatsioon koos vajalike kontaktandmetega;
3. laste ohutuse tagamiseks paigaldada vastavuses tervisekaitseõuetega ohtlikud esemed laste eluruumidest väljapoole turvalisse kohta;
4. registreerida Andmekaitse Inspeksioonis delikaatsete isikuandmete töötlemine või määrata isikuandmete kaitse eest vastutav isik vastavuses isikuandmete kaitse seadusega;
5. kehtestada kord taskuraha määramise suuruse ja sageduse kohta.

Täitmise tähtaeg : esimesel võimalusel

Ettekirjutused:

1. osutades sisuliselt asenduskoduteenust peab Keskus viima teenuse osutamine vastavusse sotsiaalhoolekande seaduses sätestatule (tegevusluba) ning lapse vastuvõtmisel asenduskoduteenusele nõuda omavalitsuselt juhtumiplaani olemasolu;;
2. viia kasvandike elamistingimused ühte tuppa paigutatud laste arvu osas ning laste eluruumide asukoha osas vastavusse tervisekaitseõuetele;
3. pidada kinni sotsiaalministri 9.01.2001 määruses nr 4 seatud kohustusest hoolekandeasutuse töötaja tervisekontrolli läbimise osas.

Täitmise tähtaeg : koheselt

Kirjalik seisukoht käesolevas aktis tehtud ettepanekute suhtes ning aruanne ettekirjutuste täitmise kohta esitada Harju Maavanemale 05.07.2010.

Akt on koostatud 6 lehel kahes originaaleksemplaris, millest üks edastatakse MTÜ Peeteli Kiriku Sotsiaalkeskusele ning teine jääb Harju Maavalitsusele.

Käesolevat akti või selle osa võib vaidlustada vastavalt haldusmenetluse seaduses sätestatud tingimustele.

Õiendi ja ettekirjutuse koostas

Olen õiendi ja ettekirjutuste sisust teadlik ning saanud sellest ühe eksemplari oma valdusse

Kaja Rattas  
Harju Maavalitsus  
Haridus- ja sotsiaalosakonna  
Sotsiaal- ja tervishoiutalituse  
juhataja

..... 2010  
allkiri

.....  
nimi

### *Translation*

### **Statement about exercised supervision of the quality of the social service provided in**

#### **NGO Bethel Church Social Centre**

#### **I. Introduction**

Supervision of the quality of the social service (hence *Service*) provided in NGO Bethel Church Social Centre (Preesi 5/7, 10320 Tallinn, registry code 80118750) (hence *Centre*) has been carried through based on the Social Welfare Act § 7 subsection 2 and § 38 and on Government of the Republic Act § 84 clause 16. Supervision was performed on 07.05.2010.a. by the head of Harju County Government Education and social department social and health care service (Kaja Rattas) and the chief specialist of Harju County Government Social and health care service (Tiiu Pärnmäe).

The aim of exercising the supervision was to control on the spot the performing of the requirements of law provided in the Social Welfare Act and in the legislation based on it, to get the necessary information for carrying through the supervision, to get acquainted with the originals of the documents and get copies of them, if necessary make the service provider

proposals and precepts. Also to get to know with the living environment of children; control of ensuring the children's health protection and other main fundamental rights.

At supervision was present and gave explanations director of the Centre, Mati Sinisaar.

## II. Service description and analysis

### Financing and cooperation

The Centre is a private social care institution, where based on the Statutes is provided: day care, shelter and children's home services; in the Centre are also support flats and development centre.

The budget of the Centre is forms mainly of regularly received grants and donations. The supporters are mostly undertakings and private persons both from foreign states and Estonia. Northern Tallinn District Administration has also supported the work of the Centre, for most of the Centre's service users are inhabitants of Northern Tallinn. Half of the budget comprises wage fund.

It is provided by the Statutes of the Centre, that in its activities the Centre follows the Constitution of the Republic of Estonia, Social Welfare Act, Pre-school Child Care Institutions Act and of the other laws and legislations of the Estonian Republic and of Tallinn legislations.

Tallinn Social Welfare and Health Care Department (hence *Department*) bought from the Centre children's home service in 2001 - 2004. Confirmed by the Department, there has been no regular successful cooperation with the Centre and in its time the service was bought, as certain children had been fixed to the activity of the day care centre and refused to come to Tallinn Children's Home although all the possibilities for it were available.

Also according to the Child Protection Act § 7 child protection by non-governmental organizations takes place in cooperation with social services departments, Child Protection Act and considering the provisions of social services department statutes. Yet, confirmed by the Department, the Centre has operated unlawfully and the aims of the Centre do not coincide with the aims of the Department.

### Substitute home and day care centre service

Tallinn City Government 31.01.2007 order nr 161-k "social services requirements validation" indicates by the substitute home service requirements to the social welfare act and to the Social Minister's regulations issued based on it.

Children's home (substitute home) service is provided in order to create safe living and studying environment for the children and youth whose situation at home does not support their coping and getting an education.

Yet the director of the Centre pointed out substitute home service (children's home) as his main activity, for the Centre has not been issued the activity licence in accordance with the valid arrangements to provide the substitute home service. Living in the Centre takes place on consent of the parents and local government. At the moment the supervision was carried through (substitute home) service was provided for 12 children.

In addition to the above-named the children are sent to the Centre as to a social program also by the juvenile committee. The social program in the Centre complies only partially with the requirements of the social program essential description confirmed by Tallinn City Government 31.01.2007 order nr 161-k, but not to the other paragraphs of the named subsection criteria (eg. extent of service, procedures for getting the service etc.). Should be considered important the fact that in the Statutes of the Centre is not fixed social program as a field of activity, hence providing the service is contradictory.

Since 01.01.2008 is in force the requirement, that concerning the child at substitute home service, must be prepared a case plan for the child (case plan form was approved on 6.05.2008). Taking into consideration the fact, that some of the children living in the Centre have been in the Centre before the case plan requirement then in case of these children there should be at least development plans. It became evident, that for the children living in the Centre, has not been prepared neither case plan nor development plan, neither independently nor in cooperation with the local government.

Taking into account the abovementioned, it remains incomprehensible, how is it possible without a development plan to describe/assess the routines of a child's everyday life and their changes, the events and the important changes in the development of a child. Case plan is not only the means of documentation, but first of all the means of work, as preparing and reviewing it according to the Social Welfare Act § 15<sup>4</sup> clause 4 presumes regular meetings of the Centre and guardianship authority in order to assess the children's welfare. The named obligations have not been followed. Not document the children's cases creates the situation, where making decisions is very different and depends on who is the child's educator.

Director of the Centre estimates that their cooperation with local governments of all the children getting the service is sufficient. Occurring questions and problems are solved needs-based, take place the discussions, often on the phone.

For archivation of children's files and other documents the Centre has iron lockers. Leaving the service the child's documents are not handed over to the local government, the Centre keeps the original file that is kept separately in the locked in archival repository. Access to the documents has the director of the Centre, the head and social workers.

We turn attention to the fact, that while processing personal data the Centre must be guided by the Databases Act and Personal Data Protection Act. For example the Social Minister's 09.01.2001 resolution nr 4 "Children welfare institution health protection requirements" § 20 (1) provides that when accepting a child to a welfare institution the local government child protection worker must present to the head of a welfare institution the family physician's certificate. The latter turns children's files into documents containing sensitive personal data, in that case the Centre must register processing of sensitive personal data in Data Protection Inspectorate. Longer list of sensitive data is provided in Personal Data Protection Act § 4.

In the course of supervision became evident, that the Centre has not made the corresponding registration in Data Protection Inspectorate.

The centre has several constant cooperative partners in the face of foreign countries and therefore the Centre has the possibility to organize with the children every year trips to abroad – to summer camps. In these cases the director of the Centre, the other workers of the Centre and the members of the reception families have been authorized by the local governments to

travel with the children, also have been made the accordingly written approvals of the parents. Now and then also the parents of the children are taken along to the trips.

Into the day care centre service belong children's private lessons, of the Estonian language training, offering activities for their spare time, food, hygiene procedures and strengthening family relationships. The day care centre children are offered material help as well by buying bus tickets, medicines, clothes and shoes for them. The children participate in different camps on the cost of the Centre.

Day care centre service is provided (i.e. catering, possibility to wash him/herself and his/her clothes) in case of need also for the mothers of the children at (substitute home)service and visiting the day care centre, despite of their living place, health condition or other characteristics.

Shelter service is provided needs-based in case of domestic violence or the parents' sickness.

Under support flats the Centre understands supported living service for the youth lacking parental care and who have participated in the Centre's programs. After starting independent life, continues social counseling of the youth and material and emotional support.

Under development activities the Centre understands looking for and finding support families, supporting the children and their families in their living environment, trips, hike and adventure education, camps in homeland and abroad, participation in language training and social skills training programs.

#### Living conditions

Service is provided in the cellar of the church: the rooms of the day care centre and half of the children's living rooms are situated in the basement that is contrary to the Social Minister's 20. 06. 2007 Regulation nr 59 "Health-protection requirements for substitute home service" § 2 (3), according to which the corresponding rooms are not allowed to be situated neither in basement nor in semi-basement.

In addition to the residences for communities, there exist also the sleeping-rooms of the children (three to four places), which is contrary to the above-named Social Minister's Regulation § 4 clause 3 ("In one sleeping-room cannot live more than two children"). Identical provision contains in the Social Minister's 9.01.2001 regulation nr 4 "Children welfare institution health protection requirements" § 7 clause 8, according to which in one room cannot live more than 2 children reached the school attendance age.

The rooms of the Centre are clean, but rather chilly; the furnishing was in accordance with the age of the children, but the general impression was desolate and sad and awoke gloomy mood – the house needs repairing. In the basement the air was a bit stuffy.

In the building are cold and hot water, canalization, artificial lightning and natural lightning. Washing conditions are available, also separate toilet rooms for boys, girls and the personnel. Available are connection possibilities with communications and computer network system. For spending their spare time the children have the opportunity both outside the Centre in hobby groups as well as in the living rooms of the Centre (so called computer room).

Dangerous items (eg scissors) were in the rooms of the children hence representing risk to the safety.

According to the Social Minister's 9.01.2001 regulation nr 4 "Children welfare institution health protection requirements" § 4 clauses 2 and 4, both the director of the welfare institution as well as the local government on which area the welfare institution is situated, are responsible for fulfilling the health protection requirements prescribed to welfare institutions. The last verification visit of North Estonian Regional Rescue Services Centre Fire Safety Bureau in the Centre has been carried through on 08.12.2009 - to the Centre were made 3 precepts. Veterinary and Food Board has the last time controlled the Centre on 30.12.2009 and as the result of the verification visit has made 4 precepts.

According to the Tallinn City Government 31.01.2007 order nr 161-k "confirming the requirements of social services" clause 1 "general requirements to social service provider" the rooms used for providing social service must correspond to the different requirements established for the welfare and health care institutions.

The suitability of the rooms for the service we assess as moderate, for the living rooms did not give homely impression and there occurred several deficiencies in the development supportive, needs considering and appropriate to the age environment of the children getting the service.

#### Personnel

In the Centre are 7 education employees in the principal job, one children's home leader, who works also as education worker, the director and in addition the support staff.

Three educators of the education personnel have higher education (one of them pedagogical), two educators have secondary education + undergone assistant educator training, one worker has secondary education + undergone junior educator training, one educator has secondary education and two workers are obtaining pedagogical or social work higher education. In addition at the moment three workers, who have higher social work education, are on parental leave.

The health certificates of passing the medical surveillance for communicable diseases of all the educational employees were expired.

#### Compulsory school attendance and health care

The main demand for getting the service is that the children should fulfill the requirement of compulsory school attendance. As usual, obtaining education goes in the child's so called school of origin, at the moment two children from the Centre are registered to learning at home (i.e. studies take place in the centre). Children use public transport to go to school and back home. In addition a volunteer special education student comes regularly to help the children and offer them educational supervision.

The children get psychological help from school psychologists and counseling from the school social worker. There is no extra psychologist in the Centre.

Family physician – at the doctor's the children go together with the Centre's personnel, In case of need the medical help is organized in medical institutions. When the child comes to

the Centre, takes place primary examination and giving first aid by the personnel of the Centre; there is no nurse among the personnel of the centre.

Taking into consideration the specific character of the children living in the Centre and of the visitors of the day care centre, we assess the danger of communicable diseases as high and prevention of contagion needs much more attention (eg. not to keep the scissors in children's rooms).

Catering – The Centre has its own properly accepted kitchen and all the food is prepared on spot by the cook. Food is prepared for both the permanent residents of the Centre as well as for the visitors of the day care centre. As by calculations is known the average daily attendance of the day care centre, they daily prepare food for cã 35 people, that sufficiently covers the needs of all the service users.

#### Ensuring the other fundamental rights

Communication with the parents (eg. visits) and the other close family members is always allowed by the Centre; the priority is to maintain trustful relationships between all the parties. The direction of the work of the centre is (if possible) to support the parent as well. To make the calls is used the telephone in the personnel room.

Creating and following religious views is free. Staying in the Centre is also voluntary and the children on do not have to leave secretly the God Service (eg. escape through the window), as it is not a closed institution.

The risen problems are discussed orally at the so called family meetings and by the confirmation of the director of the Centre there is fear that the children with their courage and straightforwardness would not express any complaints. It still became evident, that the order of presenting complaints is not accepted in the Centre and the wards are not informed about the possibility of issuing an appeal to the law enforcement authorities and to the supervisory agencies. Also the internal rules of the Centre not placed out publicly for examination (Social minister's 09.01.2001 regulation nr 4 "Children's welfare institution's health care requirements" § 16 clause 1).

Each child in the Centre has his/her own support educator. In addition the children can turn with their problems to both the social worker of the Centre or to the director as well.

Confirmed by the director of the Centre, the Centre pays the children also pocket-money – about 200 EEK per month. We find, that doing so the Centre has considered the children's interests, as lacking of pocket-money could bring along degrading of a child.

Appearance of violence in the Centre was not pointed out as a problem, but they admitted some problems about thefts. As punishment measures in the Centre are used computer ban, reducing pocket money, cinema ban etc. – i.e. depriving of benefits. No separate procedure is fixed for paying the children their pocket-money.

#### Documentation regulating the operation of the Centre

Some provisions of the Statutes of the Centre are obsolete and/or are not in compliance with the valid legislation (p 2.1- the structural unit of the Centre is children's home; p. 3.1.1 and

3.1.2 – the sources of maintenance of the Centre are child benefits, benefits, alimony).

### **III. Summary**

Based on the results of the supervision we point out, that despite of as provided in the Statute of the Centre, many of the requirements established in national legislation and Tallinn legislation are not fulfilled.

When talking with the head becomes evident, that in their opinion the services provided for children by the Centre are necessary in every way and the Centre see the need for a youth home for a long time already. Yet building of it has been hold up during several past years due to several problems and in order to solve them the Centre has in their own words done everything possible. Director of the Centre admits, that while waiting for the new building has remained undone quite a few necessary investments at the present Centre.

We explain that the County governor has exercised the supervision over the essential operation of the Centre, but does not currently present assessment about extending the activities. For that matter they have to come to the conclusion in negotiations with the city, cooperation with which is important for both the Centre and the children.

During the supervision the Centre fully cooperated with Harju County Government.

### **Comments and precepts**

Comments:

6. adjust the Statutes concerning the clauses pointed out in the current act;
7. place on the stand of the Centre the information introducing the possibilities of filing challenges and/or appeals, provided with the necessary contacts;
8. in order to ensure the safety of the children the dangerous object should be placed outside from the children's living-rooms into a safe place in accordance with the health protection requirements;
9. to register in Data Protection Inspectorate the processing of delicate personal data or to designate the person responsible for personal data protection in accordance with Personal Data Protection Act;
10. issue the order in determining the amount and frequency of paying of pocket-money.

Exercise date: at the earliest opportunity

Precepts:

4. providing essentially the substitute home service, the Centre is obliged to bring the providement of service into accordance with as stipulated in Social Welfare Act (activity licence) and when receiving the child to substitute home service to demand from local government the existence of case plan;
5. to bring the living conditions of the wards concerning the number of children living in one room and the location of living rooms into accordance with health protection requirements;
6. to comply with the obligations concerning the social welfare institution workers passing health surveillance, set in the Social Minister's 9.01.2001 regulation nr 4.

Exercise date: immediately

Written statement concerning the proposals and the report about observing the precepts must be presented to the Harju County Governor by 05.07.2010.

The act is prepared on 6 pages in two originals, one of them is delivered to NGO Bethel Church Social Centre and the other remains in Harju County Government.

The current act or its part can be contested in accordance with the conditions provided in Administrative Procedure Act.

The statement and precept are prepared by

I am aware of the content of the statement and precept and have received one original

Kaja Rattas  
2010  
Harju County Government  
Education and social department  
Head of  
Social and health care service

.....  
signature

.....  
name