

# STANDARDS FOR THE PROTECTION OF MINORS

at Royal Tulip Warsaw Centre

## Preamble

Having regard to the legal obligation resulting from the contents of the Act of 13 May 2016 on counteracting the threat of sexual offences and protection of minors and the content of the United Nations guidelines on business and human rights, recognising the important role of business in ensuring respect for children's rights, the Royal Tulip Warsaw Centre Facility adopts the Standards for the Protection of Minors (also 'SPM', 'Standards'). This document constitutes a set of rules and procedures to be applied in case of a suspicion that a child staying at the Royal Tulip Warsaw Centre Facility is being harmed and to prevent such risks, taking into account the situation of children with disabilities and children with special educational needs.

The Standards for the Protection of Minors in Royal Tulip Warsaw Centre are implemented based on the following principles:

1. The Royal Tulip Warsaw Centre Facility operates its business with respect for the rights of children as particularly vulnerable individuals.
2. The Royal Tulip Warsaw Centre Facility recognises its role in conducting a socially responsible business and promoting desirable social attitudes.
3. The Royal Tulip Warsaw Centre Facility particularly emphasises the importance of the legal and social obligation to notify law enforcement authorities of any suspected cases of crimes against children and undertakes to train its staff in this regard.

## Glossary:

For the purposes of this document, the following terms have been defined:

1. **Tourist Facilities** – hospitality facilities and other facilities providing hotel services as defined in the *[Polish]* Act of August 29, 1997, on hotel services and the services of tour guides and tourist guides.
2. **Child/Minor** – for the purposes of these standards, a child is any person who has not reached the age of 18.<sup>1</sup>

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<sup>1</sup> According to Polish law, a child is any person under the age of 18 (Article 1 of the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989). A minor is a person who has not reached the age of majority, i.e. a person under the age of 18 or a woman who has reached the age of majority by marrying after the age of 16 (Article 10 § 1 and 2 of the *[Polish]* Civil Code), which may take place

3. **Legal Guardian** – the child's legal representative: parent or guardian; foster parent; temporary guardian (i.e., a person authorized to represent a minor Ukrainian citizen staying in the Republic of Poland without adult supervision)<sup>2</sup>.
4. **Unrelated adult** – is any person over the age of 18 who is not a parent or legal guardian of the child.
5. **Child Abuse** – behaviour that may constitute an illegal act against a child by any person, including an employee of the facility, or threatens the child's well-being, including neglect; any intentional or unintentional action/inaction by an individual, institution, or society as a whole and any result of such actions or inactions that violate the rights, freedoms, and personal goods of children and/or disrupt their optimal development.
6. **Forms of Child Abuse:**
  - **Physical Abuse** of a child is abuse resulting in actual physical harm to the child or potential harm. This harm results from actions or inactions by a parent or another person responsible for the child or whom the child trusts, or who has authority over the child. Physical abuse can be recurrent or isolated.
  - **Psychological Abuse** of a child is a chronic, non-physical harmful interaction between a child and a guardian, involving both actions and omissions. This includes: emotional unavailability, emotional neglect, hostile relationships, blaming, defamation, rejection, developmentally inappropriate or inconsistent interactions with the child, ignoring or not acknowledging the child's individuality and psychological boundaries between the parent and the child.
  - **Sexual Abuse** means involving a child in sexual activities that the child cannot fully understand or consent to, and/or for which the child is not developmentally mature and cannot legally consent, and/or which is contrary to legal or social norms. Sexual abuse occurs when such activity takes place between a child and an adult or between children, if the persons involved, due to their age or level of development, are in a relationship of care, dependency, or power. Sexual abuse can also take the form of **sexual exploitation**, which includes any actual or attempted abuse of a position of vulnerability, power, or trust for sexual purposes, including but not limited to financial, social, or political gains from sexual exploitation of another person. Special risks of sexual exploitation occur

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with the permission of the guardianship court for important reasons and if the circumstances indicate that entering into marriage will be in the best interests of the family (Art. 10 § 1 of the *[Polish]* Family and Guardianship Code).

<sup>2</sup> Parents - Art. 98 of the Family and Guardianship Code; guardian - Art. 155 of the Family and Guardianship Code; foster parent - Art. 1121 of the Family and Guardianship Code; temporary guardian - Art. 25 of the Act on Assisting Citizens of Ukraine in Connection with the Armed Conflict in the Territory of that State.

during humanitarian crises. Risks of exploitation exist for both children and their guardians (definition per UN Bulletin ST/SGB/2003/13).

- **Neglect** is the chronic or incidental failure to meet the child's basic physical and emotional needs and/or to respect their fundamental rights, causing health disturbances and/or developmental difficulties. Neglect occurs in the relationship between the child and the person responsible for the child's care, upbringing, concern, and protection.
7. **Crime against a child** – all crimes that can be committed against adults can be committed against children, as well as crimes that can only be committed against children (e.g. sexual abuse under Article 200 of the [Polish] Penal Code<sup>3</sup>). Due to the nature of tourist facilities, where it is easy to obtain the opportunity for seclusion, the crimes that are most likely to occur on their premises will be crimes against sexual freedom and morality, in particular rape (Article 197 of the Penal Code), sexual abuse of insanity and helplessness (Article 198 of the Penal Code), sexual abuse of a person in a situation of dependence or a vulnerable position (Article 199 of the Penal Code), sexual abuse of a person under the age of 15 (Article 200 of the Penal Code), grooming (luring a minor via means of telecommunication – Article 200a of the Penal Code).
  8. **Other Forms of Child Abuse Beyond Criminal Acts Against the Child** – all forms of violence against a child that do not meet the criteria of a public prosecution offense (e.g., shouting, humiliation, pulling, insulting, neglecting needs, etc.).
  9. An **Employee** is an individual employed under a labour contract or providing work under a similar agreement (e.g., commission, B2B, contract for specific work), as well as an intern, trainee, volunteer, etc.
  10. An **Employee Working with Children** is any person performing tasks or delegated to perform tasks related to upbringing, education, recreation, treatment, psychological counselling, spiritual development, sports, or other interests of minors, or their care.
  11. **Entrepreneur** – the organ/entity/person managing a given facility or a network of facilities, responsible for the proper functioning of the facility in formal terms.

## CHAPTER I. STAFF OF THE FACILITY

### General Principles

1. The Facility will educate its staff on the circumstances indicating that a child staying at the Facility may be harmed and on how to respond quickly and appropriately to such situations. The Facility can provide the above-mentioned education through various training forms, e.g.: external and internal training, e-learning, educational materials developed by the hotel and available to employees, or free educational materials provided by other organizations.

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<sup>3</sup> The Act of 6 June 1997, Penal Code (i.e. Journal of Laws of 2022, pos. 1138, as amended).

2. Before being allowed to work, each employee is acquainted with the Standards for the Protection of Minors (SPM) and confirms this by signing a statement committing to adhere to the principles and procedures outlined in this document.

**Appendix 1**

3. Employees hired to work with children are required to undergo periodic training, which is documented by the employer.
4. The Facility commits to taking into account the situation of children with disabilities and children with special educational needs, by adapting the guidelines from **Appendix 12** to the specifics and scope of the Facility's operations.

### **Hiring people to work with children**

1. Individuals working with children must prove in their employment history that they have not harmed any children in the past.
2. Each person hired/delegated by the Royal Tulip Warsaw Centre Facility (Unique Apartments Warszawa Sp.z.o.o *[a polish limited liability company]*) to work with children must be checked in the Register of Sexual Offenders. This also includes minor employees under the age of 18. The person is checked in the Register by printing the search results of this person in the Register with limited access, which is then inserted into the personal file of the person being checked. The scope of personal data necessary to check a person in the Register can be found in **Appendix 3**.
3. In addition, each person employed/assigned to work with children must provide information from the National Criminal Register regarding offences specified in chapters XIX and XXV of the Penal Code, in art. 189a and art. 207 of the Penal Code and in the Act of 29 July 2005 on Counteracting Drug Addiction (Journal of Laws of 2023, pos. 172 and of 2022, pos. 2600), or for criminal offences corresponding to these offences as defined by foreign law.
4. If the person employed/assigned has a citizenship other than Polish, they should also submit information from the criminal record of the country of which they are a citizen, obtained for the purposes of professional or voluntary activities involving contact with children, or information from the criminal register if the law of that country does not provide for the issuance of information for the aforementioned purposes.
5. The person employed/assigned to work with children must also sign a declaration, under the penalty of perjury, stating the country/countries of residence during the last 20 years, other than the Republic of Poland and the country of citizenship. **Appendix 4**
6. If the law of the country from which the information on the criminal record is to be submitted does not provide for the issuance of such information or does not keep a criminal register, the person employed/assigned shall make a declaration to this effect under penalty of perjury. **Appendix 5**

7. The following declaration must be submitted with the declarations made under penalty of perjury: 'I am aware of the criminal liability for providing a false declaration.' This declaration replaces the warning about criminal liability for providing false information.
8. When using the services of external entities, the Facility should include a relevant clause in the agreement with the entity, which will allow for the enforcement of appropriate standards in checking the employees of that entity regarding their safety towards children. The clause should enable the Facility to monitor compliance with this obligation under the threat of immediate contract termination and contractual penalties or other sanctions related to non-compliance with the contract conditions.

### **Scope of Competence and Responsibility of Individuals Designated to Implement Standards for the Protection of Minors**

1. The Entrepreneur supervises the application of the SPM.
2. The Entrepreneur appoints a SPM Coordinator (hereinafter referred to as the '**Coordinator**').
3. The Coordinator is responsible for familiarizing employees with the content of the SPM and monitoring its application within the Royal Tulip Warsaw Centre Facility.
4. The Coordinator organizes and documents the process of educating employees on recognizing symptoms that a child at the facility may be harmed and on the methods for prompt and appropriate response to such situations, in accordance with the procedures adopted by the Facility.
5. The Coordinator describes each intervention or reported incident related to child harm at the Facility in a document created for this purpose (e.g. event log or intervention log).
6. In case of a reasonable suspicion of a crime, the Coordinator is responsible for securing evidence, including surveillance recordings, and providing copies to the prosecutor or police upon request, either by registered mail or in person.
7. The Coordinator is responsible for conducting the procedure in situations where a child has been harmed by a Facility employee or another adult not directly employed by the Royal Tulip Warsaw Centre (Unique Apartments Warszawa Sp.z.o.o) but by a third party.
8. The Coordinator is responsible for monitoring and updating the SPM and ensuring their availability to employees, guests, and other cooperating entities.
9. The Coordinator's contact details must be available to all employees and guests of the facility, including children. The information must include how to contact the Coordinator (email address, phone number).

## Principles of Safe Employee-Child Relationships

1. All employees of the Royal Tulip Warsaw Centre (employed by Unique Apartments Warszawa Sp.z. o. o.), as well as other adults who have contact with children on the premises with the Facility's consent, are required to adhere to the following principles.
2. The main principle of all activities undertaken by employees who have contact with children at the Royal Tulip Warsaw Centre Facility is to treat the child with respect and to take into account their dignity and needs.
3. The use of any form of violence by employees and other adults towards children is prohibited.

### **A. *Expected Behaviors and Practices from Employees***

- Maintain patience and respect in communication with the child.
- Listen carefully to the child and provide responses appropriate to their age and situation. When communicating with the child, try to be at their eye level.
- Assure the child that if they feel uncomfortable with any situation, they can tell you or another designated person and receive help.
- Inform the child where the SPM are located in a version they can understand. Ensure them that if they have questions, they can approach you or another designated person.
- Ensure equal treatment of children regardless of their gender, sexual orientation, disability, social status, ethnic, cultural, religious, and worldview background.
- Ensure a safe environment. If children are present in your area, make sure that equipment and facilities are used as intended, and the surroundings are safe (pay attention to window and stair safeguards, restricted access to busy roads, open water, etc.).
- If you see a child/children left unsupervised, and the situation suggests a risk to the child's safety, take action to locate the parent or guardian.

### **B. *Prohibited Behaviours and Practices by Employees Towards Children in the Facility***

- You must not shout at, embarrass, humiliate, ignore, or insult the child.
- You must not hit, poke, push, or in any way violate the child's physical integrity, unless there is a threat to the child's health or life.
- You must not form any romantic or sexual relationships with the child or make inappropriate proposals. This includes sexual comments, jokes, gestures, or sharing erotic or pornographic content with children, regardless of its form.
- You must not capture the child's image for private or professional purposes (recording, photographing) without the consent of the child's parents or guardians and the child's own consent. This also includes allowing third parties to capture images of children. An exception is when the child's image is only a detail of a larger scene, such as a gathering, landscape, or public event, in which case parental or guardian consent is not required.

- You must not contact the child through private communication channels (private phone, email, messaging apps, social media profiles) or meet the child outside of the workplace.
- You must not offer the child alcohol, tobacco products, or illegal substances.
- Never touch the child if they do not want it or in a way that could be considered inappropriate or improper.

**If you witness any of the above-described behaviours and/or situations involving other adults or children, always inform your immediate supervisor or the person responsible for implementing and monitoring the SPM at the Facility.**

## **CHAPTER II: PROCEDURE FOR IDENTIFYING A CHILD DURING RECEPTION REGISTRATION**

1. One of the forms of effective prevention of child abuse is the identification of a child staying at the Facility and his/her relationship to the adult with whom he/she stays at the Facility.
2. The reception clerk should take all possible steps to identify the child and their relationship with the accompanying adult.
3. In order to identify the child and his/her relationship to the person with whom he/she is staying at the Facility, the following should be done:
  - a. request an identity document of the child or another document confirming that the adult has the right to care for the child. Example documents for identification may include: ID card, school ID, MObywatel app, Internet Patient Account, or a court ruling. If no identity document is available or if the adult refuses to present it, request the child's details (first name, surname, address, PESEL number *[polish personal identification number]*).
  - b. If there are no documents to prove the relationship between the child and the adult or refusal to present them, ask the adult and the child about this relationship. An example of a conversation scheme with an adult and a child can be found in **Appendix 2**.
  - c. If the adult is not the child's parent or legal guardian, they should be asked to present a document such as a notarized consent from the parent for the adult to travel with the child or a consent signed by the child's parent, including the child's details, address, parent's phone number, and the identity document number/PESEL number of the person entrusted by the parent with the child's care.

**If the adult does not have any of the aforementioned documents, they should be asked to complete a relevant declaration according to the model prepared by the Facility. The declaration should include the child's and the accompanying adult's details, as well as the relationship between**

**the child and the adult. If the adult is not the parent or legal guardian, they should declare that the parents/legal guardians have consented to the care of the child.**

4. If the adult refuses to present the child's document and/or specify the relationship, explain that the procedure is intended to ensure the safety of children using the Royal Tulip Warsaw Centre Facility services and that according to the provisions of the Act of May 13, 2016, Facility employees must adhere to child protection laws. After clarifying the situation positively, thank the person for taking the time to ensure that the child is in good care.
5. If the conversation does not clarify the suspicion regarding the adult and their intention to harm the child, especially if they refuse to show their ID or the child does not have one, and they also refuse to make a written declaration, the supervisor and security staff (if present at the Facility) should be discreetly informed in a way so as not to arouse suspicion (e.g. you can refer to the need to use the equipment in the back of the reception area, asking an adult to wait with the child in the lobby, restaurant or other place).
6. From the moment the first concerns arise, both the child and the adult should remain within sight of a member of staff and not be left alone.
7. The supervisor, once informed of the situation, will take over the conversation with the adult to obtain further explanations.
8. If the conversation confirms the suspicion of an attempted or committed crime against the child, the supervisor shall notify the police. The procedure for circumstances indicating child abuse (see chapter III) shall then be followed.
9. If witnesses to unusual and/or suspicious situations are employees from other departments such as cleaning service, room service, bar and restaurant staff, relaxation area staff, security, etc., they should immediately inform the supervisor, or in their absence, the decision-maker who will take appropriate actions (see points 7 and 8 above).
10. Depending on the situation and the location, the supervisor verifies the validity of the suspicion of child abuse. For this purpose, the supervisor chooses appropriate measures to clarify the situation or decides to intervene and notify the police.

### **CHAPTER III. PROCEDURE IN CASE OF CIRCUMSTANCES INDICATING CHILD ABUSE BY AN ADULT**

1. Justifiable suspicion of child abuse occurs when:
  - a. the child has told an employee of the Facility about the abuse,
  - b. the employee has observed the abuse,
  - c. the child has signs of abuse (e.g. scratches, bruises), and when asked, they answer incoherently and/or chaotically or/and become embarrassed or



there are other circumstances that may indicate abuse, e.g. finding child pornography in an adult's room.

2. An employee who has a reasonable suspicion that a child in the Facility has been or is being abused should immediately notify the supervisor/decision-maker, who will inform the police. In cases where there is an immediate threat to the child's safety, the employee who has reasonable suspicion of abuse should promptly call the police at 112 and describe the circumstances of the incident. Regardless, the employee should also notify the Royal Tulip Warsaw Centre Coordinator about the incident.
3. Efforts should be made to prevent or even hinder the child and the suspected adult from leaving the Facility.
4. In cases defined by the Penal Procedure Code, a citizen's arrest of the suspected individual may be carried out. In such cases, until the police arrive, the detained person should remain under the supervision of security staff or other hotel employees who can perform such actions without risking their health or life.
5. In each case, the safety of the child must be ensured. If possible, the child should remain in the care of a staff member until the arrival of the police. If possible, efforts should be made to support the child. **Appendix 10**
6. If there is a reasonable suspicion that a crime has been committed associated with contact of the child with the biological material of the perpetrator (sperm, saliva, epidermis) do not allow the child to wash or eat/drink until the police arrive, if possible. The child should be informed why these restrictions are being applied.
7. After the child is picked up by the police, the surveillance footage and other relevant evidence (e.g., documents) regarding the incident should be secured and handed over to the Coordinator, who will forward a copy to the public prosecutor or the police by registered mail or in person at the request of the authorities.
8. After the intervention, the incident must be reported to the Coordinator, who describes it in the incident log or another document intended for this purpose.

#### CHAPTER IV. PROCEDURE IN CASE OF SUSPICIONS OR CONFIRMATION OF CHILD ABUSE BY AN EMPLOYEE OR ANOTHER ADULT

1. In the case of suspicion of child abuse by an employee or another adult who is not directly employed by Royal Tulip Warsaw Centre but by a third party, the person who becomes aware of this should immediately inform the Coordinator or, in their absence, another designated person.
2. If the child's life or health is at risk, the person who becomes aware of this should immediately notify the police by calling 112, providing their own details, the child's details (if possible), the child's location, and a description of the circumstances, and inform the supervisor/decision-maker who will notify the

child's guardians/parents. The person who becomes aware of the incident should also inform the Coordinator, at least by email or in writing.

3. If an employee has committed a form of abuse other than a criminal offense against the child, the Coordinator, after receiving the information, should investigate all circumstances of the case, especially by listening to the suspected employee and other witnesses of the event. If the violation of the child's rights is significant, especially if it involves discrimination or violation of the child's dignity, the Coordinator should recommend appropriate personnel actions to the Facility's management regarding the employee.
4. If the person who committed the abuse is not directly employed by Royal Tulip Warsaw Centre (Unique Apartments Warszawa Sp.z.o.o) but by a third party (e.g., outsourcing), it is recommended to ban their access to the Royal Tulip Warsaw Centre Facility and, if necessary, terminate the contract with the third party.

## CHAPTER V. PROCEDURE IN CASE OF CONFIRMATION OF OTHER FORMS OF VIOLENCE AGAINST A CHILD BY A PARENT/LEGAL GUARDIAN OR ANOTHER ADULT

1. In the case of confirming abuse of a child by a parent/legal guardian or another adult accompanying the child at the facility, any employee who witnesses such abuse should respond firmly.
2. If the child's life or health is at risk, the person who becomes aware of this should immediately notify the police by calling 112, providing their own details, the child's details (if possible), the child's location, and a description of the circumstances, and inform the supervisor/decision-maker. The person who becomes aware of the incident should also inform the Coordinator, at least by email or in writing.
3. If a Facility employee witnesses physical violence against the child (e.g., spanking, shaking, shouting, other forms listed in the definition of physical violence), they should attempt to stop the abuse and react accordingly. Possible forms and methods of responding to abusive behaviour by a parent/guardian/other adult towards the child are listed in **Appendix 11**.
4. In situations where a child under 7 years old is left unsupervised, the employee who becomes aware of this should inform the supervisor. The supervisor, upon being informed, will decide on further actions, considering the circumstances and the context of the Penal Code and Misdemeanors Code<sup>4</sup>. Depending on this, the supervisor will attempt to locate the parent/legal guardian or another adult with whom the child is staying at the Facility and explain that they cannot leave the child unsupervised. If locating the parent/legal guardian or another adult is not

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<sup>4</sup> Penal Code Art. 160 §§ 1 and 2; Art. 210 § 1, Misdemeanours Code Art. 106

possible, or if the parent/legal guardian/another adult refuses or is unable to assume responsibility for the child, the supervisor will notify the police. In each case, the safety of the child must be ensured.

## CHAPTER VI. MONITORING AND EVALUATION OF STANDARDS FOR THE PROTECTION OF MINORS

1. The Entrepreneur appoints a Coordinator responsible for the Standards for the Protection of Minors (SPM) implemented by Royal Tulip Warsaw Centre and places their contact details in a location easily accessible to employees and hotel guests, including children.
2. The Entrepreneur defines the scope of tasks and competencies of the Coordinator regarding the training of employees in the application of the SPM, the principles for preparing employees to implement these standards, and the documentation of these activities.
3. The Coordinator mentioned in the previous point conducts monitoring and evaluation of the SPM every two years.
4. Monitoring and evaluation include verifying the implementation of the Standards, responding to signals of violations of principles and procedures, and proposing changes to the document, especially in terms of adapting it to current needs and compliance with applicable regulations.
5. The Coordinator conducts a survey among Royal Tulip Warsaw Centre Facility employees every two years to monitor the level of implementation of the SPM. A sample survey is provided in **Appendix 6**.
6. In the survey, employees can suggest changes and report violations of SPM principles and procedures at the Facility.
7. The Coordinator compiles the completed surveys, prepares a monitoring report based on them, and subsequently submits this report to the Entrepreneur. The Entrepreneur implements necessary changes into the document and announces the updated Standards for the Protection of Minors to the employees.

### Final Provisions

1. The Standards for the Protection of Minors take effect on August 15, 2024.
2. The Standards for the Protection of Minors are available to all employees on the website of the Royal Tulip Warsaw Centre Facility, by email to all employees of the Royal Tulip Warsaw Centre Facility and in paper form in the Coordinator's office in room 208.
3. The Standards for the Protection of Minors are made available to guests by posting them on the Royal Tulip Warsaw Centre website and at the reception of Royal Tulip Warsaw Centre.

4. The Standards for the Protection of Minors are provided in a simplified and child-friendly version for children staying at Royal Tulip Warsaw Centre, in a location accessible to them.

#### **List of appendixes:**

- ✓ **Appendix 1.:** Declaration of acknowledgement of the Standards for the Protection of Minors.
- ✓ **Appendix 2.:** An example of a conversation scheme with an adult and a child during identification.
- ✓ **Appendix 3.:** Scope of data to be checked for persons in the Register of Sexual Offenders.
- ✓ **Appendix 4.:** Exemplary declaration of countries of residence.
- ✓ **Appendix 5.:** Exemplary declaration of good conduct.
- ✓ **Appendix 6.:** Survey to monitor the level of SPM realisation.
- ✓ **Appendix 7.:** Examples of situations that may indicate or rise suspicion of child abuse.
- ✓ **Appendix 8:** Example list of Facility job positions subject to verification in the context of child protection.
- ✓ **Appendix 9.:** Exemplary declaration for SPM applicability for outsourcing companies hired by the Facility.
- ✓ **Appendix 10.:** How to talk to a child who has been affected by a crime – advice for Facility employees.
- ✓ **Appendix 11.:** Ways of responding to harmful behaviour of a parent/guardian/other adult towards a child.
- ✓ **Appendix 12.:** Guidelines for Standards for the Protection of Minors, taking into account the situation of children with special educational needs, including disabilities.

**Appendix 1. Declaration of acknowledgement of the Standards for the Protection of Minors.**

Place, date .....

I declare that I have read and understood the Standards for the Protection of Minors applicable at [.....] and undertake to comply with them.

Date and signature (employee's name)

## **Appendix 2. An example of a conversation scheme with an adult and a child during identification**

- ✓ When talking to the adult, remain calm, polite and patient.
- ✓ At the beginning of the conversation, it is worth informing the adult that the Royal Tulip Warsaw Centre Facility adheres to the Standards for the Protection of Minors and therefore it is the employee's duty to verify the child's identity and the relationship between the child and the adult accompanying the child. This is also in accordance with the law on the protection of minors.
- ✓ There may be situations in which the adult feels uncomfortable or expresses their disapproval or dissatisfaction. This does not necessarily mean that they are a potential perpetrator.

### ***Example of a conversation with a guest:***

«The Royal Tulip Warsaw Centre Facility adheres to the Standards for the Protection of Minors; therefore, upon registration, please show the identity documents of the child and the person accompanying them. Does the child have an identity document with them?» (school ID, passport, other documents that allow identifying the child).

If the child does not have a document or after checking it, there is no certainty that the adult is the child's legal guardian, we can ask the following questions to help determine the situation:

- What is the child's name and how old is he/she?
- Are you the child's legal guardian? or Are you related to the child? Do you have a document that authorises you to look after the child?
- Do you have a written confirmation from the child's parents that the child is under your care?
- Can you or the child call the parents/guardians so that we can confirm this?  
May I ask what your and the child's destination is?

### ***Example of a conversation with the child:***

Welcome to our hotel.

My name is.....and I am responsible for.....

I would like to ask you a few questions:

- What is your name, how old are you? Where do you live?
- Who is the person you came with/are staying with/travelling with?

- Do you know this person well?
  - Where are your parents? We would like to contact them – do you have their phone number?
- If the adult is responsible for the child, we will inform him/her that we want to talk to the child directly.
  - If the adult is responsible for the child, we will inform him/her that we want to talk to the child directly. In any situation where we cannot establish the identity of the child and the relationship between the child and the adult accompanying him/her, we will ask the adult to fill in the declaration referred to in Chapter II, point 3, subpoint c.
  - If the adult prevents you from contacting the child, does not want to provide the child's details or fill in the declaration, you should advise the adult to speak to your supervisor.
  - If the adult wants to cancel the booking because of the necessary procedures and leave the Facility with the child, the reception clerk should try to mitigate the situation and offer to register the adult and child without requiring a declaration or the provision of data. After the registration process is completed and the adult has entered the room, you should report the situation to your supervisor, as there is a risk that the child may be harmed on the Facility premises. The supervisor decides on the next steps: to observe the adult or to call the police, whose officers can identify and verify the adult and the child accompanying them.

### Appendix 3. Scope of data to be checked for persons in the Register of Sexual Offenders

Scope of the data of the employee necessary to be checked in the Register of Sexual Offenders.

Name and surname: .....

Date of birth: .....

PESEL number [*polish personal identification number*): .....

Family name: .....

Father's name: .....

Mother's name: .....

The register is available at: <https://rps.ms.gov.pl/>

To access information from the register with restricted access, you must create an organisation profile.



#### Appendix 4. Exemplary declaration of countries of residence

Place: ....., date: .....

##### DECLARATION ABOUT COUNTRIES OF RESIDENCE

I declare that over the last 20 years I have lived in the following countries other than the Republic of Poland and the country of which I am a citizen:

...

....

At the same time, I submit a certificate of good conduct from these countries obtained for the purposes of professional or voluntary activities involving contact with children / certificate of good conduct / declaration(s) of no criminal record.

I am aware of the criminal liability for providing a false declaration.

Legible Signature

## Appendix 5. Exemplary declaration of good conduct

place and date

### Declaration of good conduct

I, .....ID no. .... /passport no. .... ,  
declare that in the country of ..... no information from criminal register is issued *[delete as appropriate]*. I declare that I have not been legally convicted in the country of ..... for prohibited acts corresponding to the offences specified in Chapters XIX and XXV of the Penal Code, in Article 189a and Article 207 of the Penal Code and in the Act of 29 July 2005 on Counteracting Drug Addiction and that no other judgment has been issued against me in which it was stated that I had committed such prohibited acts, and that I have not been obliged, pursuant to a judgment of a court, other authorized body or act, to comply with a ban on occupying any or specific positions, performing any or specific professions or activities related to upbringing, education, recreation, treatment, provision of psychological counselling, spiritual development, practicing sports or the pursuit of other interests by minors or with caring for them.

I am aware of the criminal liability for providing a false declaration.

Legible Signature

**Appendix 6. Survey monitoring the level of compliance with the Standards for the Protection of Minors.**

| Question   | yes | no | comments |
|--|-----|----|----------|
| 1. Are you familiar with the content of the document: Standards for the Protection of Minors from abuse?               |     |    |          |
| 2. Do you know which situations can indicate that a child is at risk of being harmed?                                  |     |    |          |
| 3. Do you know the procedures for responding to suspected or confirmed child abuse on the Facility premises?           |     |    |          |
| 4. Have you ever observed a violation of the rules contained in the Standards for the Protection of Minors from abuse? |     |    |          |
| a) If so, which principles have been violated? (descriptive answer)  |     |    |          |
| b) Have you taken any action? If so, what? If not, why not? (descriptive answer)                                       |     |    |          |
| 5. Do you have any suggestions for changes to the Standards to Protect Minors from abuse? (descriptive answer)         |     |    |          |

## Appendix 7. Examples of situations that may indicate or rise suspicion of child abuse

NOTE: The occurrence of certain events does not automatically mean that a minor is being abused. It is important to be vigilant and pay attention to situations that may cause concern. A worrying situation is also one in which the relationship between an adult and a child does not appear to be free and caring.

### RECEPTION

|  |   |
|--|---|
| The guest does not want to provide their personal details or the details of their child.   | The guest takes the child directly to the room, giving the impression that he/she does not want the child to make contact with the reception clerk.           |
| The guest declares that he/she does not have any documents for him/herself and/or the child; he/she does not wish to provide an explanation.                           | The guest who registers with a child invites other people who are not guests of the Facility (such people may appear for a short time).                       |
| The guest with children pays in cash or with a prepaid card. He/she pays daily (does not know how long he/she will stay) or asks someone else to pay for his/her stay. | The guest with a child rents a room by the hour or not for the whole day; or rents a room for a very long period.   |
| The guest has gadgets or items that can be given to children as gifts.   | The guest who arrives with a child has no or very little luggage (handbag/briefcase).   |
| The guest arrives at the Facility with a child who has not been registered at reception earlier.   | The guest behaves in a sexually inappropriate way towards the child, and the relationship between the adult and the child does not appear natural and caring. |
| The guest, who is not the child's parent, rents a room with fewer beds than registered persons, e.g. a double bed.   | The child is dressed inappropriately for the weather or inadequately for the adult with whom he/she has come to the Facility.                                 |
| During check-in, the child seems anxious, stressed or forced to be in the Facility with an adult.  | Children selling small items or begging in front of the Facility.   |

|  |  |
|--|--|
| The child comes to the Facility late at night or when they should be at school.  | The child does not know where they are or gives inconsistent answers when asked about their destination.   |
| An adult checking in with a child does not allow the reception clerk to establish direct contact with the child – he or she is responding for the child and does not allow the child to speak. | The child appears to be under the influence of drugs or alcohol (dazed and confused gaze, problems with balance, slurred speech, lack of response to stimuli). |

## RESTAURANT and BAR

|  |  |
|--|--|
| The guest comes to the bar or restaurant with a child who is not registered at the Facility.   | People from outside the Facility, who are not registered as guests, seem to be looking for clients and offering them something (it is possible that they will want to act as an intermediary in the transfer of contacts to children). |
| The guest enquires about sexual services for adults, including with young people (e.g. overheard conversation in the bar or restaurant). | Teenagers wait at a table or in the bar for an adult to pick them up who does not appear to be their parent or legal guardian (it is possible that this is a client, pimp or human trafficker).  |
| Children who appear to be unsupervised ask for food, drinks or money.  | Exchange of cash between an adult and a child (the exchange may raise suspicion of payment for services).  |
| Children seem anxious, stressed and avoid eye contact.   | During their stay, adults and children do not come to the hall for breakfast.  |
| The adult behaves in a sexually inappropriate way towards the child – it is not a natural and caring relationship.                       | The adult is giving alcohol to the child.  |

## HOUSEKEEPING

|  |   |
|--|---|
| The 'Do not disturb' sign is always visible on the door of the room where the children are staying.    | No agreement to have the room cleaned during the guest's entire stay <sup>5</sup> .   |
| Lots of banknotes/cash in the room (may indicate illegal payments).                                    | Children are left unsupervised in a room for a long time or do not leave the room at all (e.g. food is brought to them).  |
| Numerous computers, mobile phones and card readers are noticeable in the room.                         | The adult and children rarely leave the room, hardly ever leave at all or only leave during the hours when few guests are moving around the Facility.                               |
| The room contains children's clothes or toys, even though the child is not checked in at the Facility. | The adults, who are not guests of the Facility, stay in the lobby, seem to be observing the surroundings and communicate with the guest of the Facility who arrived with the child. |
| Noticeable amount of alcohol or drugs in the room where an adult has checked in with a child.          | In the room where the adult checked in with only the child/children, there are condoms, drugs, etc. pornographic materials left in a visible place.                                 |

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<sup>5</sup> The Facility can include information in the guest regulations that for the safety of all guests of the Facility, the staff can request access to the room in any situation that requires it.

## Appendix 8: Exemplary list of Facility job positions subject to verification in the context of child protection.

### Job categories:

1. the employee works **DIRECTLY** with children, e.g. conducts classes and looks after minors in the Facility – **the obligation to verify the employee in the Register of Sexual Offenders and the required certificate from the KRK [National Criminal Register] in Poland and from other countries, if applicable.**
2. the employee has **INDIRECT** contact with a minor at the Facility – **there is no obligation to verify.** It is recommended that the employee voluntarily declare that they have not been convicted of sexual offences and offences listed in the National Criminal Register.

| JOB DESCRIPTION  | CATEGORY   | SCOPE                    | COMMENT  |
|--|------------|--------------------------|--|
| an employee who carries out work related to childcare and organising leisure activities for children at the Facility | DIRECTLY   | MINOR - GUEST            | In the case of a B2B contract, a declaration from the company owner is required (in accordance with Appendix 9)                                |
| lifeguard  | DIRECTLY   | MINOR - GUEST            | the need for supervising the swimming pool   |
| apprentice supervisor  | DIRECTLY   | MINOR - APPRENTICE       | takes responsibility for the apprentice  |
| reception clerk  | INDIRECTLY | MINOR - GUEST/APPRENTICE | only when providing information to a minor, e.g. a child has run away from their parent/guardian (or got lost)                                 |
| employee in the technical or commercial department   | INDIRECTLY | MINOR - GUEST/APPRENTICE | in the case of troubleshooting in the room during the guest's stay (the child may be in the room, but the parent/guardian is always with them) |
| housekeeping employee  | INDIRECTLY | MINOR - GUEST/APPRENTICE | in the case of service in the room during the guest's stay (the child may be in the room, but the parent/guardian is always with them)         |
| kitchen employee   | INDIRECTLY | MINOR - GUEST/APPRENTICE | while serving the meal in the restaurant (minors must be accompanied by a parent or guardian)  |

|  |                         |                             |  |
|--|-------------------------|-----------------------------|--|
| restaurant employee<br>(bar/café/restaurant)   | INDIRECTLY              | MINOR –<br>GUEST/APPRENTICE | during the catering service (the<br>child is under the care of a<br>parent/guardian) |
| Administrative and office<br>staff (marketing, sales,<br>accounting, office<br>management) | INDIRECTLY              | MINOR –<br>GUEST/APPRENTICE | employees with access to<br>sensitive data who have no direct<br>contact with minors |
| Board of Directors/Owner   | INDIRECTLY              | MINOR –<br>GUEST/APPRENTICE | if acting as a host  |
| SPA employee   | DIRECTLY/<br>INDIRECTLY | MINOR –<br>GUEST/APPRENTICE | If an employee carries out<br>treatments on minors, the person<br>working directly   |
| security   | INDIRECTLY              | MINOR –<br>GUEST/APPRENTICE | in urgent situations requiring<br>security intervention                              |



**Appendix 9: Exemplary declaration for the Standards for the Protection of Minors applicability for outsourcing companies hired by the Facility.**

place and date

Company details (name, address, tax number)

**DECLARATION**

I hereby declare that\*:

- ☐ Employees and co-workers who are employed by ..... (company name) to work with children have been checked for a criminal record in the Register of Sexual Offenders and have provided the required certificate from the National Criminal Register in Poland and other countries (if applicable). Upon request of the Facility/Hotel/Chain, I agree to make the above-mentioned documents available for review.
- ☐ Employees and co-workers who will be conducting the job on the Facility's premises have read and will comply with the Facility's Standards for the Protection of Minors.
- ☐ (company name) has implemented its own Standards for the Protection of Minors, which apply within the company.

*\* Please tick the boxes that apply to your scope of cooperation*

## **Appendix 10. How to talk to a child who has been affected by a crime – advice for Facility employees.**

Should a situation requiring intervention arise in the Facility in order to save the life or health of a child, or should the child reveal that they are being abused, **the child's safety must be ensured first and foremost**. Until the police or other emergency services arrive, the child should be under the care of an employee.

This situation can cause severe stress in a child and lead to various reactions, such as:

- agitation and panic,
- escape behaviour to distract from the difficult situation: trivialising the situation, laughing, other behaviour that seems inappropriate,
- aggression, self-aggression, regressive behaviour (rocking back and forth, clenching hands),
- a feeling of confusion or disorientation,
- a feeling of withdrawal, being quiet, little or no movement,

**Every contact with an abused child requires sensitivity and empathy.**

A child who has suffered a lot of harm at the hands of adults is very distrustful. For a long time, the child may have experienced a strong sense of danger to its life, may feel that it has no control over its own fate, and may feel helpless and afraid.

A child who has been sexually abused is often convinced that other adults will not believe their account and is afraid of being blamed and considered a 'bad' person. In addition, the child feels partly responsible for being abused, which causes it to feel extremely guilty.

As a result of the manipulations of the perpetrator, the child perceives its perpetrator as a person with exceptional influence, from whom the child feels it cannot protect itself.

Sometimes, perpetrators threaten the child that 'something bad' will happen to them or someone close to them if they testify against the perpetrator. Perpetrators often force the child to remain silent. The perpetrators use guilt-inducing arguments, claiming that the child is partly to blame for what happened, or they convince the child that if they disclose the abuse, no one will believe them and the perpetrator will go unpunished.

Child victims of trafficking often witness violence and crime, and are often forced to commit crimes themselves. The perpetrator uses this by threatening the child with punishment from law enforcement authorities. The child, intimidated, then defends and justifies the perpetrator. In cases of extreme danger, the victim may develop Stockholm syndrome. This syndrome is the result of psychological reactions to severe stress, which can cause the child to cooperate with the perpetrator of the abuse or even to treat them as their guardian.

### **GENERAL PRINCIPLES FOR CONTACTING A YOUNG CHILD:**

- Lower yourself to the child's level, i.e. try to be at the height of the child's eyes (sit down, bend down, etc.).
- Address the child by their first name, if possible.
- Speak slowly, calmly, and clearly.
- Keep the language simple.
- Maintain eye contact.
- See if the child understands you.
- Use the child's language in your questions.

### **PRINCIPLES OF HAVING A CONVERSATION WITH A ABUSED CHILD:**

- When approaching the child, introduce yourself first.
- Accept and recognise the child's reactions and feelings. Be attentive to non-verbal expressions of the child's feelings - embarrassment, discomfort, shame, fear, anxiety, sadness, guilt.
- Respond to these feelings by helping the child to deal with them: 'I can see that you are embarrassed, it's natural in this situation'; 'people are usually ashamed when they talk about such experiences'; 'don't hold back from crying, crying helps'.
- Inform the child about what will happen next. Do not make up stories, give false information or make empty promises.
- Offer support: 'Is there anything I can help you with?'
- Ask if the child wants to contact someone close to him or her.
- Accept the refusal.
- Ensure discretion, but inform that in the event of a crime being committed, there may be circumstances in which it will be your duty to disclose information to the relevant authorities.
- Show the child that you are interested and kind and that you have time for it.
- Listen more, talk less – it is important to give the child time to express themselves. Don't be afraid of silence, endure it.
- Give the child space to talk about whatever they want.
- Don't ask for details. When asking a question, consider why you are asking it. Is the question meant to satisfy your curiosity or is it meant to deepen the contact, to obtain important information needed to provide support?
- Let the child feel that you believe what they say.
- Reassure the child that they are not to blame for what happened.
- Don't judge. Do not ask questions with an implied judgement, such as: 'Why didn't you call for help/run away?', 'Why did you believe him/her?', 'Why did you agree to it when you knew...?' etc. This usually makes the child feel guilty and also embarrassed, as children often do not understand the reasons for their own and other people's behaviour. Besides, you do not know the child's situation and experiences that may have influenced their behaviour.
- Do not hug or touch the child unless they ask you to do so – physical contact can scare them and 'lock' them in, touch can be associated with bad things, evoke traumatic memories, especially in the context of previous abuse.

## **Appendix 11: Ways of responding to harmful behaviour of a parent/guardian/other adult towards a child**

If you see a parent or guardian perpetrate violence against a child – is the child being shaken, insulted, humiliated, or hit (e.g. spanked)? Take action!

**Your reaction to the abuse gives the child a sense of security and the chance of a better future. It can also protect the health and even the life of the child!**

### **How you can take action:**

#### **NOTICE**

Signal that you have noticed a situation of child abuse. Establishing eye contact can be a sufficient response to stop violent behaviour by a parent, guardian or other adult accompanying the child. Don't be afraid to observe. You have the right to observe what is happening on the Facility or in public spaces.

#### **MAKE CONTACT**

When a parent is so overwhelmed by emotions that they cannot stop abusing their child, rational arguments will not have any effect. If you want to respond effectively, try to reduce their tension.

Ask a simple question, e.g.: 'I'm sorry, did something happen?'

You can also refer to your own experiences, e.g.: 'I remember when my children were this age. It is a very difficult time. May I help with something?'

Sometimes it is enough to say it out loud: 'I can see that you are having a hard time' or 'Sometimes we have a bad day and then we can't get along'.

Just trying to start a conversation like this can give parents food for thought and stop them from using violence against their children. It can also be the beginning of a further conversation that leads to a calming of the situation.

#### **DEFINE THE SITUATION**

Don't criticise or attack, but also don't avoid calling a spade a spade.

Calmly but firmly talk about what has upset you – e.g.: 'I see you hit the child', 'Please do not hit the child'. Please never do that.'

## **Appendix 12: Guidelines for Standards for the Protection of Minors, taking into account the situation of children with special educational needs<sup>6</sup>, including disabilities.**

Below, we present suggested guidelines to be used when working on Standards for the Protection of Minors in a way that takes into account the situation of minors with special educational needs, including disabilities.

Our intention is to prevent the exclusion of children with special educational needs, including disabilities. The primary principle is to care for the well-being of each child, because every child has their own unique needs and resources.

Always make sure that the presence of minors with special educational needs, including disabilities, is included in the Standards for the Protection of Minors and that those Standards indicate that these individuals are important, we care for them and they can count on our support and understanding.

These guidelines are of a general nature and cannot be applied in every business situation. They are intended to provide guidance on the relevant elements for the protection of minors at the Facility. However, the Standards should always be developed taking into account the needs and capabilities resulting from the general principles and purpose of its functioning.

**Please note that the SPM is customised according to the nature and type of the [Facility/Hotel/Hotel chain].**

### **I. General principles - for each type of Facility**

- 1) Every minor should be treated with due respect and not be discriminated on the basis of any characteristics, including special needs, disability, race, gender, religion, skin colour, national or ethnic origin, language, marital status, sexual orientation, health status, age, abilities, political beliefs or social status.
- 2) Demonstrate concern for the well-being and development of all minors.
- 3) Take into account universal design, reasonable adaptations and modifications, ensuring equal access for people with special educational needs, including disabilities.
- 4) Eliminate barriers that hinder minors' independent functioning and expression, including information and communication, architectural, and digital barriers.

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<sup>6</sup> Regulation of the Minister of National Education of 9 August 2017 on the rules for organisation and provision of psychological and educational support in public nursery schools, schools and educational institutions (Journal of Laws of 2023, pos. 1798, as amended) Special educational needs are also referred to as special needs (see: Act on Providing Accessibility to People with Special Needs of 19 July 2019, Journal of Laws of 2019, pos. 1696, as amended), individual educational needs, developmental and educational needs, etc.

The term special educational needs was introduced by Mary Warnock in The Warnock Report. Special Educational Needs published in 1978 in London by Her Majesty's Stationery Office. Warnock proposed a shift from the medical categorisation of pupils and their diagnosed deficits to a more functional language of social understanding of their needs.

- 5) Look for evidence-based working methods that are most relevant to the identified individual development and educational needs of minors.
- 6) Involve the family and local environment in the development of minors.

## II. Recommendations for employees - general principle:

- 1) It is recommended that a person with first aid training be present at the Facility.
- 2) Any assistance provided to a minor with special educational needs, including disabilities, must be in accordance with applicable law and in the minor's best interests.

## III. Relations between employees and minors

### 1) Identification of the minor's situation

The Facility employees are responsible for identifying the situation, including the special needs of the minor, to enable the realisation of the tasks for which the child is the beneficiary. Information provided by parents (legal guardians) about minors must be taken into account. The legitimacy and scope of collecting and processing the acquired data are defined by separate regulations.

#### It is essential to:

- a) Recognise the individual needs of the minor (to a reasonable extent) and the specifics of their functioning, in particular:
  - cognitive, emotional and social functioning, with particular emphasis on the specific nature of the minor's disability;
  - the conditions and methods necessary to satisfy the basic needs of a minor (physiological, including sensory, psychophysical, including the need for safety, etc.) and the consequences of their deprivation;
  - ways in which the minor regulates their emotions<sup>7</sup>;
  - reaction to physical contact with other people;
  - the minor's way of communication (language, specific tools and their type);
  - other factors relevant to the minor.
- b) If a high risk of difficult behaviour, including aggressive, self-aggressive or problematic sexual behaviour, is identified, the following should be done:
  - carry out a **risk assessment** (determine the factors that may trigger such reactions precisely);

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<sup>7</sup> Minors with special educational needs, including disabilities, may have their very specific ways of managing emotions, including calming down and self-soothing. Therefore, it is important to recognise whether these are external regulation strategies (requiring the guardian's action – such as hugging, lowering, softening the tone of voice, specific touch, allowing isolation, etc.) or passive self-regulatory strategies (withdrawal, 'shutdown') or active (from sucking the thumb, closing the eyes, rubbing the body parts after increased movement, verbal and sound activity, crying, screaming, talking, etc.). Important! It is very helpful when an adult present in a difficult situation remains calm and does not react with anxiety or their own over-stimulation, as the child's nervous system tunes into the state of those around them.

- develop an **individual intervention plan** in cooperation with the parents (guardians) based on the needs/characteristics of the minor<sup>8</sup>, i.e. first develop a catalogue of ways to prevent a given difficult behaviour from occurring, which are as non-aversive as possible and proactive<sup>9</sup>, based on building a relationship characterised by respect and trust;
  - then **non-aversive reactive strategies** should be proposed (aimed at reducing emotional tension, including the protection of the minor and other persons involved in the behaviour).
- c) Develop a comprehensible form of mutual communication – in the language/manner of communication used by the minor – adapted to the minor's psychophysical abilities and enabling the minor to express his or her will, including acceptance or opposition to certain activities/behaviours<sup>10</sup>, if justified using alternative or supportive methods of communication<sup>11</sup>.
  - d) Inform the minor in an understandable way about his or her rights and responsibilities and the possibilities of getting help, making sure that the information is clear and comprehensible to the minor.
  - e) Familiarise the minor in an understandable way with the rules and regulations in force at the Facility and the consequences of violating them for all parties.
  - f) Teach the minor in an understandable way how she/he should behave in situations that threaten her/his safety and the safety of others.
  - g) Teach the minor in an understandable way what behaviour constitutes a violation of the privacy/intimacy of others, what behaviour hurts others, causes them pain and suffering.
  - h) Ensure that the reaction of the adult does not cause other minors to have a negative attitude towards the minor who was the subject of the intervention<sup>12</sup>
    - all minors involved in the incident, including witnesses, should be protected.

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<sup>8</sup> Recommendation: If documents are being developed in the entity concerning the individual (special, specific) needs of a minor (e.g. Individual Educational and Therapeutic Program), it is worth paying attention to aspects regarding the protection of the minor. If necessary, indicate specific response procedures according to the identified needs.

The methods of informing employees about the existence of such individualised procedures should be regulated internally and in accordance with applicable law.

<sup>9</sup> The categories of proactive strategies are low-threshold strategies, changes in the environment, ensuring attractive activities and providing medical consultations.

<sup>10</sup> This does not apply to healthcare services, where objection and acceptance are regulated by separate regulations.

<sup>11</sup> Augmentative and Alternative Communication (AAC) – the use of communication aids, forms and methods of communication understood as the reception and transmission of messages, including spoken and written language, which support, supplement or replace speech for the purpose of functional communication. *It includes processes that supplement (augmentative communication) and/or replace (alternative communication) natural speech and/or writing in order to maximize the communication skills of their users (AAC users), which are necessary for effective communication and social functioning in everyday life (Grycman M., Kaczmarek B.B., Podręczny słownik terminów AAC (komunikacji wspomagającej i alternatywnej), Impuls, Kraków 2014).*

<sup>12</sup> Explanation: this point is intended to draw attention to the way interventions are made: there are situations in which a guardian tries to protect one of the minors and does so inappropriately – the other minors then exclude him or her from the group.

## **2) Creating a safe environment for the development of minors**

- a) Familiarise yourself with the minor's situation to the extent reasonable for your duties and responsibilities.
- b) Any form of ridicule, discrimination, humiliation, intimidation, defamation, exclusion of a minor or any other form of psychological, physical or sexual violence must be prevented. All such situations, including those involving minors, must be responded to immediately.
- c) Depending on the needs and circumstances, it is advisable to:
  - conducting psycho-educational and preventive classes aimed at counteracting all forms of discrimination and violence, as well as making minors aware of every person's right to respect for their dignity;
  - informing parents (guardians) about problems that arise and cooperating with them in this regard.
- d) Supporting minors in self-care activities - if it is necessary to support a minor in performing self-care and hygiene activities due to their level of functioning, this should be done using the least intrusive form of support possible, while striving to gradually make them independent of the help of others in this area, if possible. When supporting a minor, it should be done in such a way that it does not result in discomfort, humiliation or ridicule by other people. Support should be provided in a safe manner, with privacy and the possibility of being supervised by other employees.
- e) In the case of suspected or disclosed abuse, the minor should always be given the opportunity to speak up and express their opinion, bearing in mind that this may be the first and only conversation for the minor (the child may not try to seek support again). It is particularly important to:
  - express your concern by declaring that you believe the minor;
  - assure the minor that he/she did the right thing by talking about the experienced abuse;
  - explain to the minor that he/she is not to blame for the situation;
  - unequivocally condemn any form of violence, sending a clear message that it is unacceptable and must be prevented/stopped;
  - inform the minor that the case will be handled by other appropriate persons, including information that measures will be taken to ensure his/her safety and that he/she is not to blame for what happened.

## **3) Prohibited behaviour of employees**

- a) Discussing the situation of a minor, including his/her family situation, health, etc., in the presence of unauthorised persons.
- b) Devaluing comparisons with others;
- c) Isolation in a closed room, holding the door, restricting movement by tying; the use of direct coercion is possible only in the event of the occurrence of premises



resulting from the Mental Health Protection Act and in accordance with the provisions of this Act<sup>13</sup>

- d) Deliberately provoking a minor to behave in a difficult or undesirable way or to escalate such behaviour.
- e) Excessive assistance or direct supervision of a minor beyond what is necessary, including during self-service and hygiene activities.
- f) Disregard or superficial, inattentive treatment of a minor's reported need for support and assistance.
- g) Passive attitude of employees in terms of caring for the development and protection of a minor in a situation where his or her well-being is at risk.

#### **4) Procedure for responding to difficult, aggressive or violent behaviour by minors.**

The aim of the procedure is to ensure the safety of all minors and adults present at the facility/institution/activity in the event of a situation that threatens their safety, health and life.

##### **Scope of application of the procedure:**

- violation of the persons' inviolability;
- psychological violence, violation of personal dignity;
- fights, criminal battery;
- endangering your own and others' health and life;
- threats of violence;
- using a dangerous object;
- destruction of property.

##### **Scope of responsibility:**

- each employee may notice or be informed about acts of aggression or violence;
- each employee is obliged to react in a situation of aggression or violence (if they witness the incident or are informed about it), i.e. to try to stop the situation and ensure the safety of the witnesses, the victim and the perpetrator by isolating them;
- the response procedure is applied by informing the person designated to take intervention measures, who will then deal with the matter comprehensively, or another decision-maker (e.g. director, specialist).

### **RESPONSE PROCEDURE IMPLEMENTATION PROCESS IN THE EVENT OF DIFFICULT, AGGRESSIVE OR VIOLENT BEHAVIOUR OF MINORS**



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<sup>13</sup> The necessity to apply physical restraint to a child is always a sign of the inadequacy of the procedures developed so far for responding in difficult situations and an urgent call to verify the quality and purposefulness of the forms of support, therapy and care used.

- if a minor shows signs of increased tension, nervousness or difficulty that are likely to result in difficult behaviour, including aggressive, self-aggressive, threatening behaviour, immediate action should be taken to counteract its development, including a calming conversation with the minor, calming them down, if possible, with a neutral topic (redirect attention method) or other soothing/calming influence;



- in the event of escalation of difficult, undesirable behaviours, an attempt should be made to extinguish or interrupt them, as appropriate to the situation, taking into account the previously identified risk of the occurrence of difficult, aggressive, self-aggressive behaviours and the individual proactive strategies or non-aversive reactive strategies established and applied in minors;



- if the measures taken in a given situation are not effective and difficult, aggressive or self-aggressive behaviour escalates, the persons designated to undertake the intervention procedure or other employees who are nearby should be informed and asked for help; these persons should immediately inform the decision-makers or specialists and provide support in the given situation;



- then, in the event of very aggressive behaviour that cannot be stopped and poses a threat to the health and life of oneself and others, first aid should be administered immediately, if necessary, the emergency services or the police should be called, and then the minor's parents (guardians) should be notified - in this situation, if it is necessary, possible and safe for each participant in the incident, the least invasive form of interrupting the act of aggression can be used;
- the safety of every event participant, including witnesses, must be ensured;



- if the circumstances of the incident allow it, the person indicated in the intervention procedure shall immediately initiate a conversation with the minor to give him/her the opportunity to express his/her opinion and present their opinion in order to determine the causes and circumstances of the incident; during the conversation with the minor, important information should be noted, as long as it does not disrupt the conversation; after the conversation, a note is made taking into account the entire incident and the information provided by witnesses of the incident, the situation should be reported to the parents (guardians);



- until it is certain that the situation has been resolved and the difficult behaviour has stopped, the minor must not be left alone, i.e. they must not be 'lost sight of'.
- the safety of all event participants and witnesses must be ensured and they must be supported, e.g. with psychological and pedagogical assistance.

**Special conditions for the intervention interview:**

- the interview should be conducted without time pressure or rushing the minor, and should be adapted to the minor's needs and abilities; the place where it is conducted should take into account, among other things, the specificity of the minor's reception and processing of sensory stimuli; the minor's language and means of communication should be taken into account;
- the interviewer should be familiar with the ways in which minors regulate their emotions (e.g. stimulation/self-stimulating behaviour) and should know whether the minor engages in difficult behaviour (e.g. aggressive, self-aggressive behaviour);
- during the conversation, allow the minor to express themselves freely, including the disclosure of concerns; do not interrupt, criticise or add your own assumptions to what the minor is saying; do not comment on the content of what the minor has communicated; do not minimise the significance of what has happened;
- the conversation should take place in a calm atmosphere; after it is finished, the minor should be provided with adequate support until the situation stabilises and the behaviour calms down - the minor must not be left alone, 'out of sight' until it is certain that the situation has stabilised.

**Instructions for employees:**

- familiarisation with the above-mentioned response procedure in the event of difficult, aggressive or violent behaviour on the part of a minor, the tasks and the process of implementation in the event of its being initiated,
- cooperation with the person designated to undertake the intervention procedure in the facility/institution/activity, compliance with his/her instructions during the event;
- availability of the numbers of the people responsible for taking action at the facility/institution/activity, decision-makers;
- improvement of competences to the extent necessary to undertake the activities specified in the aforementioned procedure.