

# **Child Protection Standards at the Stanisław Brzozowski Association**

further referred to as **'Standards'**

Warsaw, 4 November 2024

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## *I. Preamble*

The guiding principle of all actions undertaken by the staff of the Stanisław Brzozowski Association is to act for the good of the child, with their best interests in mind. Every person who has contact with a child must treat them with respect and take their needs into account. The use of violence against a child – in any form by anyone – is strictly prohibited. In pursuing these objectives, staff act in accordance with applicable law, the Association’s internal regulations, including these Standards, and within their remit.

## *II. Glossary*

1. **Association** – the Stanisław Brzozowski Association with its registered office in Warsaw, ul. Jasna 10/3, 00-013 Warsaw, KRS [*national court register no.*] 0000242083, REGON [*company no.*] 140369159, NIP [*tax ID*] 701-000-25-99.
2. **Child** – any person under the age of 18.
3. **Adult** – a person who has reached the age of 18.
4. **Child’s Guardian** – a person authorised to represent the child, in particular their statutory representative: parent, legal guardian or another person authorised to act on their behalf under specific regulations or a court ruling, including a foster family.
5. **Employee** – any natural person employed by the Stanisław Brzozowski Association under an employment contract or a civil law contract, as well as volunteers/interns who, due to their role or duties, have (or may potentially have) contact with a child.
6. **Candidate** – a natural person applying for employment with the Association.
7. **Collaborator** – any person who, under a separate civil law contract between a business entity and the Association, has (or may potentially have) contact with a child.
8. **Staff** – the staff of the Stanisław Brzozowski Association consists of its employees as well as individuals collaborating with the Association.
9. **Domestic Violence** – domestic violence within the meaning of the Counteracting Domestic Violence Act of 29 July 2005 (consolidated text: J. of L. of 2024, item 424, as amended).
10. **Physical Contact** – any bodily contact, including touching, shaking hands, kissing, holding hands, patting, stroking, placing a hand on the shoulder, etc.
11. **Corporal Punishment** – a form of punishment intended to inflict pain on the punished person through the use of physical force.
12. **Child Abuse** – child abuse includes any criminal offence committed to the detriment of the child, any crime witnessed by a child, as well as non-criminal acts that violate the child’s well-being.
13. **Neglect** – the failure of a parent or legal guardian to meet a child’s basic material and emotional needs, particularly failing to provide adequate food, clothing, shelter, medical care, safety, or supervision to ensure compliance with compulsory education.
14. **Incident** – any case of child abuse or suspected child abuse reported to the Association.
15. **Crime** – an act that is punishable by law at the time it is committed.
16. **Register of Sex Offenders** – a register of sex offenders as defined in the Act of 13 May 2016 on Counteracting the Threats of Sexual Crime and the Protection of Minors (consolidated text: J. of L. of 2024, item 560).
17. **Accused Child** – a child suspected of abusing the abused child.

18. **Abused Child** – a child who has been subjected to any form of abuse.

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### *III. Standards Applicable at the Association*

## **§ 1**

### **Verification of Candidates**

1. A candidate applying for a position that requires contact with children must submit a written statement containing their personal data necessary for the Association to fulfil its obligations under the Act of 13 May 2016 on Counteracting the Threats of Sexual Crime and the Protection of Minors (consolidated text: J. of L. of 2024, item 560). The template for this statement is provided in **Annex 2** to the Standards.
2. Before establishing an employment relationship or permitting a candidate to engage in any other activity involving contact with children, the Association shall verify whether the candidate's details are listed in the **Register of Sex Offenders** (further referred to as the '**Register**'). The check in the Register shall be documented by a printout of the feedback generated by the Register.
3. A person whose details appear in the Register may not be employed by the Association.
4. A person who is to be engaged in tasks involving contact with children is required to present a certificate from the **National Criminal Register** regarding offences specified in Chapters XIX and XXV, as well as Articles 189a and 207 of the Penal Code Act of 6 June 1997 (consolidated text: J. of L. of 2024, item 17, as amended) and the Act of 29 July 2005 on Counteracting Drug Addiction (consolidated text: J. of L. of 2023, item 1939, as amended) or for equivalent offences as defined by foreign law. **The certificate must cover both the criminal record and the juvenile record.** Detailed instructions are provided in **Annex 5** to the Standards.
5. Detailed rules for the recruitment of natural persons are set out in Annex 11 to the Standards.
6. If a candidate holds citizenship other than Polish, the Association shall act in accordance with the currently applicable legal regulations.
7. The Association may not employ a person in a position involving contact with children if they have not presented the certificate specified in item 4 above or if the certificate indicates that they have been convicted of any of the offences listed therein.
8. Before being permitted to work in a position involving contact with children, every **employee** and **collaborator** must familiarise themselves with the Child Protection Standards adopted by the Association and commit to complying with their provisions. The employee or collaborator shall confirm this commitment with their handwritten signature. The template for this statement is provided in **Annex 9**.

## § 2

### Employment and Verification of Individuals Cooperating with the Association

1. The employment of collaborators within the Association is based on civil law contracts concluded between the Association and business entities or on the basis of invoices.
2. Before establishing cooperation as referred to in item 1 above, contracting partners (business entities) whose employees participate in performing the contract, as well as any subcontractors performing the contract, are required to provide the Association with necessary information regarding these individuals, namely: a printed report from the **Register of Sex Offenders** and a **certificate from the National Criminal Register** regarding offences specified in Chapters XIX and XXV, as well as Articles 189a and 207 of the Penal Code Act of 6 June 1997 (consolidated text: J. of L. of 2024, item 17, as amended) and the Act of 29 July 2005 on Counteracting Drug Addiction (consolidated text: J. of L. of 2023, item 1939, as amended) or equivalent offences as defined by foreign law. The certificate must cover both the criminal record and the juvenile record.
3. Before starting collaboration with the Association, every collaborator, subject to item 2 above, who is to be engaged in tasks involving contact with children is required to present a **certificate from the National Criminal Register** regarding offences specified in Chapters XIX and XXV, as well as Articles 189a and 207 of the Penal Code Act of 6 June 1997 (consolidated text: J. of L. of 2024, item 17, as amended) and the Act of 29 July 2005 on Counteracting Drug Addiction (consolidated text: J. of L. of 2023, item 1939, as amended) or for equivalent offences as defined by foreign law. The certificate must cover both the criminal record and the juvenile record.
4. Before starting collaboration with the Association, every collaborator, subject to item 2 above, who is to be engaged in tasks involving contact with children shall be verified in the **Register of Sex Offenders**. The Association's check in the Register shall be documented by a printout of the feedback generated by the Register.
5. The Association undertakes to verify the authenticity of documents referred to in items 2 and 3 above.
6. If a collaborator holds citizenship other than Polish, the Association shall act in accordance with the currently applicable legal regulations.
7. Contracts concluded with business entities must include provisions that take into account the obligations arising from the Act on Counteracting the Threats of Sexual Crime and the Protection of Minors (hereinafter referred to as the '**Act**'), namely:
  - the business entity declares that it is familiar with the Act of 13 May 2016 on Counteracting the Threats of Sexual Crime and the Protection of Minors (J. of L. of 2024, item 560) and the obligations arising therefrom, including the obligation to implement standards for the protection of minors as specified in Article 22b of the Act, as well as the sanctions for non-compliance;
  - before allowing individuals to carry out tasks under the contract in the field of activities related to education of minors or the pursuit of other interests by minors, the business entity shall verify those individuals in the Register of Sex Offenders and provide the Association with a printed confirmation of this check.
8. The following individuals may not collaborate with the Association:

- individuals listed in the **Register of Sex Offenders** or those who have been **lawfully convicted** of an offence specified in Chapters XIX and XXV of the Penal Code, an offence under Articles 189a and 207 of the Penal Code, an offence under the Act of 29 July 2005 on Counteracting Drug Addiction, or equivalent offences as defined by foreign law;
- individuals who have not undergone verification in the Register of Sex Offenders and have not provided a certificate from the National Criminal Register, as referred to in items 2 and 3 above;
- individuals who have not submitted the information or statement referred to in Articles 21(3)-(7) of the Act or regarding whom information has been received indicating that they are subject to criminal proceedings as specified in Article 2 or Article 21(3) of the Act.

### **§ 3**

## **Staff Responsibilities**

1. In the presence of children, staff members must not express themselves in a discriminatory, offensive or degrading manner towards individuals or groups based on their religious, political, or ideological beliefs, nationality, disability, age, gender, sexual orientation, or in any other way that may be antagonistic towards groups or individuals.
2. In the presence of children, staff members shall refrain from statements and actions that could have a harmful impact on the children's development. It is strictly prohibited to promote or endorse behaviour that is unlawful, harmful to physical or mental health, inappropriate for minors, or unsuitable for the child's age.
3. Staff members must not comment on a child's family situation in their presence, undermine the competence or decisions of the child's guardians, or otherwise refer to any potential problems or conflicts within the child's family.
4. An employee or collaborator who has contact with children may, at any time, be tested for alcohol and/or other substances with similar effects. Such testing may be conducted as a routine screening and does not need to be prompted by concerning behaviour.
5. Any person whose test results indicate the presence of alcohol or substances with similar effects shall be immediately and indefinitely removed from any contact with children, and the Association reserves the right to terminate their contract.
6. An employee or collaborator shall inform the Association if they become subject to criminal proceedings for offences covered by the criminal record certificate submitted during recruitment, regardless of the stage of the proceedings.
7. Any person who is the subject of criminal proceedings for offences against children must be immediately removed from all forms of contact with children until the case is conclusively resolved in their favour.

## § 4

### Staff Relations with Children

1. Activities involving children must take into account the child's stage of development and individual abilities. The format of the activities must not exclude children with disabilities or special needs, who have the right to participate in all activities on equal terms.
2. Activities organised for children must not create or reinforce harmful stereotypes related to gender, sexual orientation, national or ethnic origin, religion, health status or family situation. Every child must be treated with respect, and staff must communicate with them in a language they can understand. **Any behaviour or statements that could ridicule, offend, humiliate, degrade or frighten a child are strictly prohibited.**
3. All children must be treated fairly, and any form of favouritism or discrimination is prohibited. Staff should be prepared to explain their decisions and actions to children in a way that is understandable and appropriate for their age. **In the presence of children, it is forbidden to behave in a crude manner, comment on physical attractiveness or sexual activity, or either compliment or criticise a child's appearance.**

## § 5

### Physical Contact

1. Physical contact with a child should be limited to situations where it is necessary and natural, such as assisting the child with physical exercises, essential hygiene activities, ensuring the child's safety in the face of immediate danger, or calming a distressed child.
2. During organised trips, it is strictly prohibited for an adult who is not the child's guardian to share a room with the child.
3. Staff should avoid being alone with a child and refrain from any behaviour that could be misinterpreted by the child, their guardians, other children or adults.
4. Any individual contact between an employee/collaborator and a child should take place on the Association's premises, preferably with the door open or in the presence of others whenever possible.
5. Employees/collaborators must exercise particular sensitivity towards children who have been victims of violence or abuse, as well as towards any child whose family situation or traumatic experiences may result in a greater need for emotional or physical closeness.
6. Employees/collaborators must clearly establish boundaries in their interactions with the child and their family, maintain a professional relationship, and promptly consult their supervisor in case of any uncertainties regarding appropriate conduct.
7. The use of corporal punishment against children by staff is strictly prohibited.

## § 6

### Communication with the Child

1. Employees/collaborators must clearly establish boundaries in their relationships with children and communicate the rules governing these interactions. Employees/collaborators should not take sides in disputes between a child and their guardian/teacher, nor should they provide psychological, spiritual or life advice unless they have appropriate qualifications and it falls within the scope of activities conducted with the child.
2. Contact with children should take place only during the Association's working hours and should be limited to activities organised by the Association in which the child participates.
3. Communication with the child must be transparent both to their guardians and to the Association's management. Employees/collaborators must not have secrets with a child on matters of significant importance to their health and life.
4. Communication regarding the child between the Association and the child's guardian must be conducted through formal channels. Employees/collaborators must not exchange private contact details with the child.
5. Employees/collaborators must not send or accept contact requests from children via their private social media accounts.
6. In cases where communication with a child occurs via email or through groups created on messaging platforms, the child's guardian should have the right to access such correspondence, including being added to the group or mailing list.

## § 7

### Relationships Between Children

1. The Association places strong emphasis on ensuring safe relationships between children participating in its organised activities and other programmes.
2. Children taking part in the Association's activities are required to treat other children with respect and dignity.
3. **In peer relationships, any behaviour that may constitute child abuse, such as physical, verbal or emotional violence, is strictly prohibited.**
4. The Association is responsible for enforcing appropriate behaviour among children and providing the necessary education on this matter.

## § 8

### Protection of Personal Data

1. A child's personal data is protected in accordance with the principles set out in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such



data, and repealing Directive 95/46/EC (General Data Protection Regulation – GDPR).

2. The Association has a data protection policy that ensures the lawful and secure processing of personal data, developed based on an analysis of potential risks associated with personal data processing. The processing of children’s personal data must be carried out in a manner that guarantees privacy and security.

**3. The collection and processing of a child’s personal data require written consent from the child’s guardian. Such consent must be specific, informed, unambiguous and given voluntarily.**

4. Consent is not required if the processing of personal data is based on other legal grounds that legitimise data processing. In all cases, the Association must fulfil its information obligation with respect to the child’s guardian.

5. It is only permitted to collect personal data that is justified and directly related to the activities involving the child, as well as their needs and safety.

6. Where possible, children’s personal data – especially sensitive data – must be anonymised/pseudonymised and destroyed once the purpose for which it was collected has ceased.

7. Children’s personal data is protected from access by individuals other than staff directly involved in activities requiring the processing of such data. It is strictly prohibited to disclose this data to other staff members, other children, their guardians or representatives of the media.

**8. It is strictly prohibited to provide information about children or their families via telephone or email without first obtaining written confirmation from the child’s guardian verifying the identity and authorisation of the recipient to access such information.**

9. The restrictions on sharing personal data and other information about children with third parties do not apply to individuals and institutions legally entitled to request access to such data or in cases where the Association is intervening with such institutions.

## **§ 9**

### **Protection of Image Rights**

1. The Association respects the child’s right to privacy, image protection and personal rights by establishing rules for capturing and publishing images of children during its activities.

2. Where possible, capturing and publishing images of children participating in the Association’s programmes should be avoided unless it is essential and there is no alternative way to achieve the intended purpose.

3. For illustrative purposes, including promotional or fundraising materials, it is recommended to use images that do not allow for the identification of the child or to source images from publicly available materials.

**4. Capturing a child’s image requires written consent from the child’s guardian. This consent must be specific, informed, unambiguous and given voluntarily, and the person giving consent must be fully informed about the purpose of capturing the child’s image and the possible ways it may be used, including online publication.**

5. Consent for capturing and/or using a child’s image must not be implied or in any way coerced.

Before giving consent, the child's guardian must be explicitly assured that such consent is not a condition for the child's participation in the offered activities.

6. Where possible, the child should also be asked for consent to capture/publish their image, and if they refuse, their decision must be respected.

7. A lack of consent for capturing and publishing a child's image must not result in the child being excluded from activities or discriminated against in any way.

8. Staff must not capture children's images for personal use or publish images of children taken in connection with the Association's activities on their private social media accounts.

9. In cases where events involve other participants and it is necessary to ensure control over how images of participating children are captured and used, the Association may restrict the ability of attendees to take photographs, instead providing its own photographic coverage of the event or commissioning professional photographers.

10. All individuals appearing in photographs/videos must be fully clothed and must not be depicted in a manner that ridicules or humiliates them, or otherwise violates their personal rights.

11. Photographs/videos should, wherever possible, depict children in groups and engaged in shared activities.

12. Before each instance of publishing a child's image, a careful assessment must be made to determine whether the composition of the photograph/video could lead to its misuse in a way that violates the child's personal rights.

13. Any publicly shared image of a child participating in the Association's programmes must not be accompanied by information that could help third parties identify the child or compromise their safety.

## **§ 10**

### **Use of Electronic Devices and the Internet**

1. Child guardians retain the right to decide on the content made available to their children, including during their stay on the Association's premises. The provision of computers, smartphones and other devices enabling internet access, as well as mobile phones, to children while on the Association's premises requires the guardian's consent.

2. Staff are responsible for monitoring how children use computers and mobile phones provided by the Association, particularly when they are connected to the internet.

3. Computers, smartphones and similar devices made available to children at the Association's premises must have security measures in place to ensure data protection and include parental control solutions that prevent access to websites displaying dangerous or inappropriate content.

4. The Association reserves the right to prohibit children from using devices capable of recording images and sound during selected activities if such a restriction is justified by child safety considerations and/or the need to protect their privacy from unauthorised recording.

## § 11

### Rules and Procedures in Cases of Child Abuse

What to do if you suspect that a child is being abused or if you have information about child abuse:

1. In cases of suspected child abuse, the priority is to ensure that the child receives all necessary assistance and support immediately upon receiving such information.
2. Regardless of other actions taken to clarify the situation and initiate formal procedures, **the Association's management** shall promptly decide on the forms of support to be provided to the child who has been a victim of abuse, as well as (if applicable) to other children who witnessed the incident or may also have been victims. Support may include referring the case to organisations that specialise in providing professional assistance in such circumstances, social assistance institutions, the Police or the Prosecutor's Office – the Association shall take appropriate support measures Depending on the incident at hand.
3. An employee or collaborator who receives information about child abuse directly from the child must not, in any way, question or cast doubt on the event described by the child, regardless of their personal assessment of the child's account.
4. An employee or collaborator must not independently conduct investigative actions regarding reported or observed inappropriate behaviour towards a child without first informing **the Association's management** and obtaining its explicit approval.
5. The Association is not bound by the wishes of the child's guardian in cases where a crime is suspected to have been committed against the child, regardless of the identity of the perpetrator.

## § 12

### Intervention in Cases of Child Abuse

1. Every confirmed or suspected case of child abuse must be recorded in the **Intervention Report** and reported to **the Association's management** or to the **person designated by the management** to coordinate actions related to the safety of children under the Association's care, i.e. the person responsible for receiving reports of incidents that pose a threat to a child and for providing the necessary support. **The designated person is Natalia Kałuża**. Reports can be submitted via email to [ochronadziecka@krytykapolityczna.pl](mailto:ochronadziecka@krytykapolityczna.pl). The Intervention Report template is provided in **Annex 1** to the Standards. The Intervention Report and all documentation related to the incident will be added to the child's file and stored in accordance with the principles outlined in § 17 of the Standards.
2. Based on the submitted information and obtained explanations, **the Association's management** shall decide on the appropriate course of intervention and designate the person responsible for carrying it out. Employees and collaborators are strictly prohibited from conducting an independent investigation without the knowledge and approval of the Association's management.
3. The management shall immediately inform the child's guardians about the incident and the planned intervention and, if necessary, they will also support the guardians in seeking specialist

assistance.

4. The Association is not bound by the wishes of the child's guardians in determining the appropriate form of intervention if the child has been a victim of abuse or domestic violence.

5. In cases where there is an immediate threat to the child's life or health, the relevant emergency services (Police, Ambulance Service) must be informed immediately by calling 112 (emergency number) or 999 (ambulance service). The employee or collaborator who first becomes aware of the danger is responsible for notifying the appropriate authorities and then completing the Intervention Report.

## § 13

### **Abusing a Child by an Adult**

1. In the event of a suspected criminal offence against a child by an adult, **the Association's management** shall notify the Police or the Prosecutor's Office.

2. The obligation to inform the authorities also applies in cases of suspected domestic violence in the child's family, whether the child is a direct victim or a witness to the violence.

3. If you suspect that a child has been abused by an employee or collaborator, the individual in question must be immediately removed from all forms of contact with children (not only the affected child) until the matter is fully investigated.

4. The template for reporting a suspected criminal offence is provided in **Annex 6** to the Standards

## § 14

### **Abusing a Child by Another Child**

1. If a child is suspected of abusing another child, an interview must be conducted with the child accused of the abusive behaviour and their guardians, as well as separately with the abused child and their guardians. The purpose of this interview is to establish the sequence of events and assess the impact of the incident on the mental and physical well-being of the abused child. The findings must be documented in a separate Intervention Report for each child involved.

2. If the suspected perpetrator is between the ages of 13 and 17 and their behaviour constitutes a criminal offence, the relevant family court or police must be informed.

3. If the suspected perpetrator is over the age of 17 and their behaviour constitutes a criminal offence, the relevant police unit or Prosecutor's Office must be informed.

## **§ 15**

### **Child Neglect in the Family Environment**

1. If there is a suspicion that a child's needs are being neglected in their family environment, **the Association's management** shall submit a written request to the appropriate district court (Family and Juvenile Division) to assess the child's and family's situation. The template for this request is provided in **Annex 7** to the Standards.
2. If there is reason to believe that a guardian is neglecting the child's physical and/or psychological needs or that the family is unable to provide adequate care (e.g., the child wears clothing unsuitable for the weather, leaves home unsupervised by an adult), or if the family is engaging in abusive behaviour (e.g., the guardian or another household member shouts at the child, administers smacks or similar forms of corporal punishment), the relevant social welfare centre must be informed immediately, so that it may assess the family's situation and determine the appropriate forms of support needed.

## **§16**

### **Confidentiality**

All employees and collaborators who, in the course of their professional duties, obtain information about child abuse are required to maintain the confidentiality of all related circumstances. The only exceptions to this obligation are the disclosure of information to authorised state institutions as part of intervention measures and to the child's guardians in the exercise of their parental authority.

## **§17**

### **Documenting and Storing Information**

1. All information collected in connection with activities involving children shall be retained by the Association for at least two years from the date of the report or until the conclusion of any related proceedings, whichever period is longer.
2. Where possible, personal data concerning children should be stored in an anonymised or pseudonymised form.

## § 18

### Accessibility of the Standards

1. The full version of the Standards is available on the Association's website at <https://krytykapolityczna.pl/> under the Child Protection Standards section.
2. A simplified version of the Standards, designed to be easily understood by children, is displayed in a visible location at the Association's premises.

## § 19

### Review and Updating of the Standards

1. These Standards are subject to regular review, at least once every two years.
2. Staff members and guardians of children attending activities organised by the Association may submit their comments and suggestions for amendments to this document on an ongoing basis.
3. **The Association's management designates Natalia Kałuża as the person responsible for overseeing the Child Protection Standards within the Stanisław Brzozowski Association.**
4. The individual mentioned in the previous item is responsible for responding to any reported breaches of the Standards, proposing amendments and conducting evaluation surveys among the Association's staff every two years. The template for the survey is provided in **Annex 10** to the Standards..
5. **The Association's management** implements necessary amendments to the Standards and officially announces the updated version.

## § 20

### Preparing Staff to Apply the Standards

1. **The person responsible for the Child Protection Standards within the Stanisław Brzozowski Association, as specified in § 19(3) of the Standards,** is responsible for preparing staff to implement the Standards in the following areas:
  - a) introducing employees and collaborators to the applicable Standards;
  - b) providing employees and collaborators with all necessary information regarding the content and implementation of the Standards.
2. Employees and collaborators shall familiarise themselves with the Standards in force at the Association, comply with them and participate in training sessions related to their implementation.
3. Employees and collaborators must confirm in writing that they have read and agree to comply with the Standards by signing a statement, which is then added to their personnel file. The template for this statement is provided in **Annex 9** to the Standards.



**IV. Annexes**

**Annex 1**

**Intervention Report**

1. Full name of the minor: .....

2. Reason for intervention (type of abuse):  
.....  
.....

3. Person reporting the suspected abuse: .....

4. Actions taken regarding the minor:  
.....  
.....

5. Assistance plan (if applicable):  
.....

6. Meetings with the minor's guardian:  
.....  
.....

7. Legal intervention (tick as appropriate):  
● report of suspected criminal offence,  
● request for assessment of the child's/family's situation,  
● Other type of intervention (which?) Specify:  
.....  
.....

8. Details of the intervention (name and address of the authority to which the intervention was reported):  
.....  
.....

9. Outcome of the intervention:  
.....  
.....

10. Actions taken regarding the perpetrator:  
.....

date and signature of the person completing the report



## Annex 2

### Candidate's Personal Data

As part of the process for assigning you to work with children, we are required to verify your details in the Register of Sex Offenders.

This obligation arises from Article 21(2) of the Act of 13 May 2016 on Counteracting the Threats of Sexual Crime and the Protection of Minors (consolidated text: J. of L. of 2024, item 560).

Please provide the following information required for verification:

First name:

.....

Surname:

.....

Surname at birth:

.....

PESEL:

.....

Father's name:

.....

Mother's name:

.....

Important information:

- The legal basis for processing the personal data provided in this declaration is a legal obligation (Article 6(1)(c) of the GDPR) imposed on the data controller under the Act on Counteracting the Threats of Sexual Crime and the Protection of Minors. The purpose of processing personal data is to verify compliance with the statutory criteria for working with children.
- You have the right to access, rectify, delete or restrict the processing of your data, as well as the right to lodge a complaint with the President of the Personal Data Protection Office (UODO) (address: ul. Stawki 2, 00-193 Warsaw) if you believe that the processing of your data violates the law.
- Your data will not be subject to profiling or transferred to third countries.
- Providing your data is voluntary, but failure to do so will result in ineligibility for roles involving contact with children.

Full name .....

Date .....

Signature .....

## Annex 3

### Declaration of Countries of Residence

1. In compliance with the obligation set out in Article 21(5) and (6) of the Act of 13 May 2016 on Counteracting the Threats of Sexual Crime and the Protection of Minors (consolidated text: J. of L. of 2024, item 560), I declare that in the past 20 years, I have resided in the following countries other than the Republic of Poland:

	Country of residence	Period of residence
1		
2		
3		

2. I hereby submit a criminal record certificate from these countries, obtained for professional or voluntary activities involving contact with children.

3. I am aware that making a false declaration constitutes a criminal offence.

4. I acknowledge that:

- The legal basis for processing my personal data provided in this declaration is a legal obligation (Article 6(1)(c) of the GDPR) imposed on the data controller under the Act on Counteracting the Threats of Sexual Crime and the Protection of Minors. The purpose of processing my personal data is to verify my compliance with the statutory criteria for working with children.
- I have the right to access, rectify, delete or restrict the processing of my data, as well as the right to lodge a complaint with the President of the Personal Data Protection Office (UODO) (address: ul. Stawki 2, 00-193 Warsaw) if I believe that the processing of my data violates the law.
- My data will not be subject to profiling or transferred to third countries.
- Providing my data is voluntary, but failure to do so will result in my ineligibility for roles involving contact with children.

Full name .....

Date .....

Signature .....

## Annex 4

### Declaration of No Criminal Record

In compliance with the obligation set out in Article 21(7) of the Act of 13 May 2016 on Counteracting the Threats of Sexual Crime and the Protection of Minors (consolidated text: J. of L. of 2024, item 560), aware of the criminal responsibility for making a false declaration, I hereby declare that:

1. The law of [Country] ....., where I resided during the period of ....., does not provide for the issuance of certificates for professional or voluntary activities involving contact with children, as specified in Article 21 of the Act on Counteracting the Threats of Sexual Crime and the Protection of Minors.
2. I have not been lawfully convicted in this country of any offences corresponding to those specified in Chapters XIX and XXV of the Penal Code, Article 189a and Article 207 of the Penal Code, or the Act on Counteracting Drug Addiction.
3. No other ruling has been issued against me stating that I have committed such prohibited acts.
4. I am not subject to any legal restrictions imposed by a court ruling, another authorised body or legal provisions that prohibit me from holding any position, engaging in any profession or conducting any activity related to the upbringing, education, recreation, healthcare, psychological counselling, spiritual development, sports or other interests of minors, or providing care for them.

I acknowledge that:

- The legal basis for processing my personal data provided in this declaration is a legal obligation (Article 6(1)(c) of the GDPR) imposed on the data controller under the Act on Counteracting the Threats of Sexual Crime and the Protection of Minors. The purpose of processing my personal data is to verify my compliance with the statutory criteria for working with children.
- I have the right to access, rectify, delete or restrict the processing of my data, as well as the right to lodge a complaint with the President of the Personal Data Protection Office (UODO) (address: ul. Stawki 2, 00-193 Warsaw) if I believe that the processing of my data violates the law.
- My data will not be subject to profiling or transferred to third countries.
- Providing my data is voluntary, but failure to do so will result in my ineligibility for roles involving contact with children.

Full name .....

Date .....

Signature .....

\* Note: The Act does not regulate the procedure for making a declaration in cases where the relevant country does issue criminal record certificates, but the person making the declaration is objectively unable to obtain one. In such cases, the individual may modify this section by providing a detailed explanation of their specific circumstances and the reasons why obtaining the certificate is not possible. However, this is not a procedure provided for by law, and the organisation receiving the declaration may consider it insufficient for approving the individual to work with children.

## Annex 5

### Instructions for the Candidate

The Act on Counteracting the Threats of Sexual Crime and the Protection of Minors requires us to carefully verify every individual who is to be permitted to have contact with minors. One of the key elements of this verification process is confirming whether the person has ever been convicted of any offences specified in the Act.

Submitting a criminal record certificate is a mandatory requirement for employment or any other activity involving contact with children.

Below is a short guide on how to obtain the required certificate electronically via the e-KRS system. You will need either a trusted profile (Profil Zaufany) or an electronic signature. The application fee is 20 PLN.

1. Visit the National Criminal Register website (<https://ekrk.ms.gov.pl/ep-web>).
2. Register and activate your account by selecting the form for an individual.
3. In the top left corner, click on the 'Applications and Inquiries' [*Wnioski i zapytania*] tab and select 'Application for an Individual' [*Wniosek o osobę*].
4. In item 11, select 'Criminal Record' [*kartoteka karna*] and 'Juvenile Record' [*kartoteka nieletnich*].
5. In item 12, enter: 'Article 21(3) of the Act of 13 May 2016 on Counteracting the Threats of Sexual Crimes and the Protection of Minors (consolidated text: J. of L. of 2024, item 560)'.
6. Save and sign the application using your trusted profile (Profil Zaufany) or electronic signature.
7. Pay for the application.

Once your certificate is ready, you will receive a notification in your ePUAP inbox. The processing time may vary, but it is typically 7 days. However, during peak periods, such as the summer holidays, the waiting time may extend to up to 14 days.

You can also obtain the certificate in paper form directly from the Information Points of the National Court Register. In this case, the fee is 30 PLN, but the processing time is shorter.

The certificate must be submitted to the recruitment officer responsible for your application on behalf of the Organisation.

Legal basis: Article 21(3) of the Act of 13 May 2016 on Counteracting the Threats of Sexual Crimes and the Protection of Minors (consolidated text: J. of L. of 2024, item 560).

# Annex 6

## Report of suspected criminal offence (template)

[Place], [date] .....

District Prosecutor's Office in [Place]<sup>[1]</sup>

Reporting Party: ..... with its registered office in .....

represented by: .....

correspondence address: .....

### Report of suspected criminal offence

I hereby submit a report regarding the suspected commission of a criminal offence of [specify offence] against the minor [full name, date of birth] by [full name of the alleged perpetrator].

### Justification

While performing official duties, [full name of employee/volunteer] was engaged with the minor [full name], during which the child disclosed concerning information regarding their relationship with .....<sup>[2]</sup>.

Detailed description of the suspected criminal offence

.....  
.....  
.....  
.....

Given the above information, and considering the well-being and safety of the minor, I formally request the initiation of an investigation into this matter.

The person who can provide further information is [full name, phone number, correspondence address].

Please send all correspondence related to this case to the provided correspondence address, referencing the case number and document registry entry.

.....

signature of the authorised person

*[1] The report should be submitted to the district prosecutor's office or the police station responsible for the area where the offence took place.*

*[2] A detailed description of the situation should be provided, including key details such as when and where the incident occurred, who may have witnessed it, who may have had knowledge of it, and who is suspected of committing the offence.*

# Annex 7

## Request for assessment of the family's situation (template)

[Place], [date].....

District Court in .....

3<sup>rd</sup> Family and Juvenile Division <sup>11</sup>

Applicant: .....

*represented by:* .....

*correspondence address:* .....

Participants in the proceedings ..... (full names of the child's parents)

ul..... (address of residence)

parents of the minor ..... (full name of the child, date of birth)

### Request for assessment of the child's situation

I hereby submit a request for an assessment of the situation of the minor (full name of the child, date of birth)<sup>21</sup> and the issuance of appropriate care orders.

#### Justification

Based on information obtained from staff members..... who have been in contact with the minor, it appears that [describe the concerns].

The family does not have an active Blue Card Procedure (*a domestic violence prevention mechanism in Poland – translator's note*).

Given the above facts, it is reasonable to suspect that the welfare of minor ..... is at risk and..... are not properly exercising their parental responsibilities. Therefore, the request for an assessment of the child's family situation and potential support for the parents is justified.

The staff member responsible for the minor within the organisation is: ..... (full name, work phone number, institution address).

..... (*signature*)

Annexes:

- any available supporting documents,
- a copy of this letter.

<sup>11</sup> The request should be submitted to the court responsible for the child's place of residence, not their registered address.

<sup>21</sup> The child's full name and current place of stay must be provided for the court to take effective action, including assigning a court-appointed guardian to conduct a home visit.

## Annex 8

[Place], [date] .....

### Declaration

.....holder of identity document no.  
.....hereby declare that I have not been convicted of any offence against sexual freedom and morality, or of any offence involving the use of violence against a minor, and there are no ongoing criminal proceedings against me (including preliminary proceedings), nor any disciplinary proceedings related to such offences.

.....

*signature*

## **Annex 9**

### **Declaration of an employee/collaborator**

I, the undersigned.....hereby declare to have familiarised myself with the Child Protection Standards in place at the Stanisław Brzozowski Association and I undertake to abide by them.

Signature .....

Place, date .....



## Annex 10

### Evaluation questionnaire

No.	Question	Yes	No
1.	Have you read the Child Protection Standards of the Stanisław Brzozowski Association?		
2.	Are you able to recognise signs of child abuse?		
3.	Do you know how to respond to signs of child abuse?		
4.	Have you ever observed a violation of the Child Protection Standards by another staff member at the Stanisław Brzozowski Association?		
5.	Do you have any comments, corrections or suggestions regarding the Child Protection Standards of the Stanisław Brzozowski Association? <i>(Please write below the table.)</i>		

## Annex 11

# Rules for the safe recruitment of staff

## § 1

### Recruitment – basic principles

1. The primary objective when recruiting staff for the Organisation is to ensure the protection of children's rights and their safety.
2. Recruitment for positions involving contact with children shall enable the thorough verification of a candidate's professional and ethical qualifications, as well as their previous experience working with children.
3. During the recruitment interview or other recruitment procedures for a position involving contact with children, candidates must present their experience in working with children and provide verifiable references from previous workplaces or volunteer organisations.
4. If the candidate gives their consent, and in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, OJ EU L of 2016, no. 119, p. 1, as amended) and the Labour Code (J. of L. 1974, no. 24, item 141, as amended), to verify the references and employment history provided by the candidate, the recruiter is obliged to contact the entities indicated by the candidate in order to confirm the candidate's qualifications. The consent referred to in the previous sentence must be documented, either electronically or in writing, for evidentiary purposes.
5. Refusal to provide consent, as mentioned in item 4 above, cannot be the sole reason for rejecting a candidate; however, the recruiting officer may determine that the qualifications and experience presented by the candidate cannot be verified on this basis.

## § 2

### Cooperation with natural persons, i.e. individuals employed in the organisation under an employment relationship or on the basis of civil law contracts - verification of no criminal record

1. A candidate applying for a position that requires contact with children must submit a written statement containing their personal data necessary for the organisation to fulfil its obligations under the Act of 13 May 2016 on Counteracting the Threats of Sexual Crime and the Protection of Minors (consolidated text: J. of L. of 2024, item 560). The template for this statement is provided in Annex 2 to the Standards.
2. Before establishing an employment relationship or permitting a candidate to engage in any other activity involving contact with children, the organisation shall verify whether the candidate's details are listed in the Register of Sex Offenders. The check in the Register of Sex Offenders shall be documented by a printout of the feedback generated by the Register.
3. A person whose details appear in the Register may not be employed in the organisation.
4. A person who is to be engaged in tasks involving contact with children is required to present a certificate from the National Criminal Register regarding offences specified in Chapters XIX and XXV, as well as Articles 189a and 207 of the Penal Code Act of 6 June 1997 (consolidated text: J. of L. of 2024, item 17, as amended) and the Act of 29 July 2005 on Counteracting Drug Addiction (consolidated text: J. of L. of 2023, item 1939, as amended) or for equivalent offences as defined by foreign law. The certificate must cover both the criminal record and the juvenile record. Detailed instructions are set out in Annex 5 to the Standards.
5. The Organisation must not employ a person in a position involving contact with children if they fail to provide the certificate required under item 4 above or present a certificate indicating that they have been convicted of any of the offences listed therein.