

# **Standards for the Protection of Minors in the Association Reflections on Europe**

## **Chapter I Preliminary provisions**

### **§ 1.**

1. The "Standards for the Protection of Minors in the Association Reflections on Europe" are adopted, which are aimed at counteracting any activities aimed at harming or violating the rights of minors up to 18 years of age.
2. Association Reflections on Europe (hereinafter referred to as ROE ) operates as a non-governmental organization and operates under the applicable Statute. For coordinating ROE activities The Management Board of the Association (hereinafter: the Management Board) is responsible .
3. ROE firmly opposes any neglect and violence against minors and young people.
4. The guiding principle of all activities undertaken by ROE employees and collaborators , as well as ROE volunteers , is to act for the benefit of the minor and in his best interest. Everyone treats minors with respect and takes into account their needs. It is unacceptable for anyone to use violence in any form against a minor. In achieving these goals, ROE operates within the framework of applicable law, internal regulations and its own competences.
5. The purpose of the Standards is to prevent any type of abuse and, if it occurs, to report it to the appropriate persons and to make every effort to prevent such an event from happening again or to minimize the likelihood of its occurrence in the future.
6. This document concerns the activities of ROE in the scope of its statutory activities, projects and youth activities, in particular for people aged 13-17. Educational units such as schools, kindergartens and other organizational units should have their own internal standards for working with minors.

## **Chapter II Explanation of terms**

### **§ 2.**

1. An employee is a person employed under an employment contract. A collaborator is a person employed under a civil law contract, an intern, a volunteer or a person cooperating unpaid on other terms.
2. A minor is any person under 18 years of age.
3. The guardian of a minor is a person authorized to represent the minor, in particular his or her parents or legal guardians. Pursuant to this document, the foster parent is also a guardian.

4. Consent of a minor's parent means the consent of at least one of the minor's parents/legal guardians. However, if there is no agreement between the minor's parents, the parents should be informed about the need for the case to be resolved by the family and guardianship court.
5. Threatening the safety of a minor or harming a minor should be understood as committing a crime or criminal act to the detriment of a minor by any person, including an employee or collaborator of an organization, parent/legal guardian of a minor or by another child, using violence against a minor in any form or endangering the well-being of a minor, including its neglect.
6. A crime is human behavior considered socially harmful and therefore prohibited by law (mainly the Penal Code, but also many other acts, such as the Act on Counteracting Drug Addiction).
7. A punishable act is human behavior considered socially harmful, which would constitute a crime if committed by a person over 17 years of age. However, a person under 17 years of age (minor) is not criminally liable, but is liable for such behavior before a family court in the course of proceedings in juvenile cases, and not in criminal proceedings.  
Proceedings  
in juvenile cases aim to educate the juvenile perpetrator, not to punish him.
8. The person responsible for the Policy for the Protection of Minors from Harm is an employee or co-worker appointed by the organization's management, working under a permanent contract, who supervises the implementation of the Policy for the Protection of Minors against Harm in the organization.
9. Personal data of a minor is any information enabling the identification of a minor.
10. The competent family court means the nearest district court, family and the juvenile department. Information on where the department competent for a given town is located can be found in the current regulation of the Minister of Justice on determining the seats and areas of jurisdiction of courts of appeal, district courts and district courts and the scope of cases they hear. Correspondence to the family court should be sent in writing, by registered mail.
11. The locally appropriate social welfare center should be understood as the center located in the commune where the minor lives. Correspondence with OPS should be in writing, by registered letter or e-mail.
12. Notification about the possibility of committing a crime should be submitted in writing to the local (nearest) police unit or prosecutor's office. The notice must be sent by registered mail.

**Chapter III**  
**Safe relationships with minors.**  
**Prohibited behavior towards minors.**

**§ 3.**

1. Before being allowed to perform duties related to activities with minors up to 18 years of age, everyone provides personal data, which are then used to fulfill the obligation specified in Art. 21 of the Act of 13 May 2016. on counteracting threats of sexual crimes and protection of minors and checking the employee/collaborator in the Register of Sexual Offense Perpetrators, hereinafter referred to as the Register. The check also applies to people under 18 years of age. A person listed in the Register cannot be employed. The scope of personal data needed to check a person in the Register is included in Annex 4 to this Policy. The Management Board of the Association is responsible for fulfilling the obligation and may authorize another employee to do so.
2. In order to monitor safety, the Association checks the employee's/collaborator's presence in the Register every year.
3. In addition to checking the person's presence in the Register, each employee/collaborator over 18 years of age signs a declaration as in Annex 3 to the Policy.
4. If you receive information about the initiation of criminal proceedings against an employee/co-worker for a crime against sexual freedom or a violent crime committed against minors, you should immediately remove the employee/collaborator from all forms of contact with minors and transfer her to a job position where such contact does not occur or consider terminating the contract. with this person.

**§ 4.**

1. Employees and co-workers do not contact minors via private communication channels without the knowledge of their legal guardians.
2. Employees and co-workers do not engage in conversations with minors on private topics using social media. It is recommended to conduct group correspondence on topics related to the organization's activities, as long as at least one other adult participates in the joint conversation.
3. If a minor starts a conversation on private topics using social media, the employee/co-worker does not continue the conversation. This rule does not apply to situations (even potential) threats to the life and health of a minor. In such a case, the employee/co-worker may continue the conversation, but is obliged to notify the supervisor about contact with the minor and the reasons for this contact.
4. When talking to a minor, it is possible to do so in a separate room, but the door to this room is never locked.
5. As a rule, contact with minors should take place only during working hours or during the performance of official/statutory duties and concern purposes falling within the scope of duties.
6. In particular, in relations with minors it is unacceptable:
  - a. using inappropriate language in the presence of minors,

- b. showing one's views on cultures, race or sexuality in the presence of minors,
- c. displaying discrimination against any minor based on origin, race or disability,
- d. ignoring or disregarding any suspicion of violence against a minor,
- e. inviting minors to your home,
- f. using any form of violence against a minor, including the use of physical punishment, the use of power relations or physical advantage (intimidation, coercion, threats).
- g. embarrassing, humiliating, disrespecting and insulting minors;
- h. shouting at minors, causing fear in them;
- i. disclosing sensitive information (image, information about the minor's family, medical, legal situation, etc.) to unauthorized persons, including other minors;
- j. behaving inappropriately in the presence of minors, e.g. by using vulgar words, making offensive remarks and referring to sexual attractiveness in statements;
- k. establishing any sexual relations with minors or making inappropriate proposals to minors, directing sexual comments, jokes, gestures to minors, and providing students with erotic and pornographic content, regardless of its form;
- l. favoring minors;
- m. recording the image of a minor (filming, voice recording, photographing) for the private needs of the employee/collaborator;
- n. offering alcohol, tobacco products or illegal psychoactive substances to minors, consuming them together with students or in their presence;

#### **§ 5.**

1. People have appropriate knowledge and, as part of their duties, they pay attention to risk factors for harming minors and monitor the situation and well-being of the minor.
2. If risk factors are identified, employees/co-workers who are in direct contact with the minor/his family start a conversation with the parents, providing information about the available support offer and motivating them to seek help for themselves. If risk factors are identified within the Association , the above-mentioned people convey this information to their superior.

**Chapter IV**  
**Rules and procedures for intervening in the event of suspicion or information**  
**about harm to a minor**

**General rules**

**§ 6.**

1. Whenever possible, the Association conducts regular classes (at least once a year) for young people working for the Association on safe relationships with other people, including adults, and the need to report to adults anything that worries them.
2. Threats to the safety of minors may take various forms, using various methods of contact and communication.
3. For the purposes of this document, the following classification of threats to the safety of minors was adopted:
  - a. a crime has been committed to the detriment of a minor (e.g. sexual abuse, abuse of a minor);
  - b. there was another form of harm that was not a crime, such as shouting, physical punishment, humiliation;
  - c. the minor's life needs were neglected (e.g. related to nutrition, hygiene or health);
4. For the purposes of this document, intervention procedures have been distinguished in the event of suspected action to the detriment of a minor by:
  - a. Employee/collaborator/volunteer
  - b. other third parties
  - c. parents/legal guardians
  - d. another child

**§ 7.**

1. If an employee or co-worker of the organization suspects that a minor is being harmed, the employee/co-worker is obliged to prepare a memorandum and forward the information obtained to the management of the organization. The note may be in writing or by e-mail.
2. The person responsible for undertaking interventions is the President of the Association ( kontakt@rozprawy.eu ).
3. If abuse is reported by the person designated to conduct the intervention, then the intervention is carried out by the organization's management.
4. If abuse is reported by the organization's management, the actions described in this chapter are taken by the person who noticed the abuse or to whom the suspicion of abuse was reported.

5. Specialists can be asked to participate in the intervention, in particular psychologists and educators, in particular from the Municipal Family Support Center in Kielce, in order to use their help in talking to the minor about difficult experiences.

#### **§ 8.**

If you suspect that a minor's life is in danger or that there is a risk of serious damage to their health, you should immediately inform the appropriate services (Police, ambulance service) by calling 112 or 998 (emergency service). The services are informed by the person who first received information about the threat and then completes the intervention card.

#### **§ 9.**

1. An intervention card is prepared for each intervention, a template of which is attached as Appendix 1.
2. All employees of the organization and other persons who, in connection with the performance of their official duties, received information about harm to a minor or information related to it, are obliged to keep this information secret, with the exception of information provided to authorized institutions as part of intervention activities.
3. If a suspicion of a threat to the safety of a minor was reported by the minor's guardians, and this suspicion was not confirmed, the minor's guardians should be informed of this fact in writing.

#### **Harm from an employee/co-worker**

#### **§ 10.**

1. If harm to a minor is reported by an ROE employee/collaborator, that person is immediately removed from all forms of contact with minors (not only the injured minor) until the matter is resolved.
2. The management talks to the minor and other people who have or may have knowledge about the incident and the personal situation (family, health) of the minor, in particular his or her guardians. The organization's management tries to determine the course of the event, but also the impact of the event on the minor's mental and physical health. The arrangements are written down on an intervention card.
3. The management organizes a meeting with the minor's guardians, providing them with information about the incident and the need/possibility of using specialist support, including from other organizations or services.
4. If a crime has been committed against a minor, the management of the organization prepares a notification about the possibility of committing a crime and forwards it to the local police or prosecutor's office. The notification template is included in Annex 6.
5. If an employee/co-worker has committed any form of harm to a minor other than committing a crime to his/her detriment, the management of the organization should investigate all the circumstances of the case, in particular listen to the employee/co-worker suspected of harming the minor, the minor and other witnesses of the event. In a situation where the violation of the minor's good is significant, in particular when

discrimination or violation of the minor's dignity has occurred, termination of the legal relationship with the person who committed harm should be considered or such a solution should be recommended to the person's superiors. If the employee/collaborator who committed harm is not directly employed by the organization, but by a third party, then a ban on contacts with minors should be recommended and, if necessary, the contract with the cooperating institution should be terminated.

### **Harm by other third parties**

#### **§ 11.**

1. If harm to a minor is reported by a third party (stranger or relative), the organization's management conducts a conversation with the minor and other people who have or may have knowledge about the incident and the personal situation (family, health) of the minor, in particular his or her guardians. The organization's management tries to determine the course of the event, but also the impact of the event on the minor's mental and physical health. The arrangements are written down on the intervention card (Appendix No. 1).
2. The organization's management organizes a meeting with the minor's guardians, providing them with information about the incident and the need/possibility of using specialist support, including from other organizations or services.
3. If a crime has been committed against a minor, the management of the organization prepares a notification about the possibility of committing a crime and forwards it to the local police or prosecutor's office. The notification template is included in Annex 6.
4. If a conversation with guardians shows that they are not interested in helping the child, ignore the event or do not otherwise support a minor who has experienced abuse, the organization's management prepares an application for insight into the family's situation, which it sends to the appropriate family court (template in Annex No. 7).
5. The further course of proceedings is within the competence of the institutions referred to in the preceding points.

### **Abuse by parents/guardians**

#### **§ 12.**

1. If harm to a minor by parents/guardians is reported, the organization's management conducts a conversation with the minor and other people who have or may have knowledge about the incident and the personal situation (family, health) of the minor. The management board of the organization tries to determine the course of the event, but also the impact of the event on the mental and physical health of the minor. The arrangements are written down on the intervention card (Appendix No. 1).
2. If a crime has been committed against a minor, the management of the organization prepares a notification about the possibility of committing a crime

and forwards it to the local police or prosecutor's office. The notification template is included in Annex 6.

3. If the findings show that the minor's guardian neglects his or her psychophysical needs or the family is educationally ineffective (e.g. the child wears clothes that are inappropriate for the weather, leaves the place of residence without adult supervision), the family uses violence against the minor (parent/other a household member shouts at a child, corporal punishment), the appropriate social welfare center should be informed about the need for help for the family when the failure to meet the needs results from poverty or - in the case of violence and neglect - the need to initiate the Blue Card procedure.
4. The further course of proceedings is within the competence of the institutions referred to in the preceding points.

## **Peer bullying**

### **§ 13.**

1. If a minor is suspected of being harmed by another minor (e.g. during group classes), a conversation should be held with the minor suspected of harming him and his guardians, as well as separately with minors subjected to abuse and their guardians. Additionally, you should talk to other people who have knowledge of the incident. During the conversations, efforts should be made to determine the course of the event, as well as the impact of the event on the mental and physical health of the abused minor. The arrangements are written down on the intervention card (Appendix No. 1). Separate intervention cards are prepared for the harming minor and the harmed minor.
2. Together with the parents/guardians of the abusive minor, a recovery plan should be developed to change undesirable behavior.
3. A plan should be developed with the parents/guardians of a minor subjected to abuse to ensure his or her safety, including ways of isolating him or her from sources of danger.
4. During conversations, make sure that a child suspected of harming another minor is not harmed by parents/guardians, other adults or other minors. If such a circumstance is confirmed, proceed to the procedure in §11 or §10.
5. If the abused child does not attend the organization, talk to the minor subjected to abuse, other people who have knowledge about the incident, as well as with the parents of the abused minor in order to determine the course of the event, as well as the impact of the event on the minor's mental and physical health. The management of the organization organizes a meeting with the minor's guardians, to whom they provide information about the incident and the need/possibility of using specialist support, including from other organizations or services, and about how to respond to the incident (informing the family court, informing the school, informing the parents of the abusing minor). .



6. If the person suspected of abuse is a child aged 13 to 17 and his or her behavior constitutes a punishable act, the locally competent family court or the police should also be informed in writing.
7. If the person suspected of harming is a child over 17 years of age and his or her behavior constitutes a crime, then the appropriate local police or prosecutor's office unit should be informed in writing.

## **Chapter V**

### **Rules for protecting the image of minors**

#### **§ 14.**

1. The organization, recognizing the minor's right to privacy and protection of personal rights, ensures the protection of the minor's image.
2. Guidelines regarding the rules for publishing the image of a minor constitute Annex 5 to this Policy.

#### **§ 15.**

1. An employee or associate of the organization must not enable media representatives to record the image of a minor (filming, photographing, recording the voice of a minor) staying on the premises of the organization without the written consent of the minor's parent or legal guardian.
2. In order to obtain the consent referred to above, an employee or associate of the organization may contact: guardian of the minor and establish the procedure for obtaining consent. It is unacceptable to provide a media representative with contact details of the minor's guardian without the prior knowledge and consent of the guardian.
3. If the image of a minor is only a detail of a whole, such as a gathering, landscape, public event, the consent of the parent or legal guardian to record the image of the minor is not required.
4. Publicizing the image of a minor recorded in any form (photograph, audio-video recording) by an employee/collaborator of the organization requires the consent of the parent or legal guardian of the minor.

## **Chapter VI**

### **Rules for minors' access to the Internet**

#### **§ 16.**

1. The association does not provide electronic devices for minors.

## Chapter VII Monitoring the application of the Policy

### § 17.

1. The President of the Association – Kamil Stanos is appointed as the person responsible for reviewing, monitoring and updating the Standards.
2. The person referred to in the preceding point is responsible for monitoring the implementation of the Standards, for responding to signals of violation of the Standards and for proposing changes to the Standards.
3. The person referred to in point 1 of this paragraph, conducts among ROE employees , volunteers and parents/legal guardians of ROE members once every two years, a survey monitoring the level of implementation of the Standards. The survey template is attached as Appendix 2.
4. In the above-mentioned survey people may propose changes to the Standards and point out violations of the Standards.
5. The person referred to in point 1 of this paragraph, prepares the completed questionnaires. On this basis, it prepares a monitoring report, which is then submitted to the management.
6. Management introduces necessary changes to the Standards.

## Chapter VII Final provisions

### § 18.

1. The policy comes into force on the day of its announcement.
2. The announcement is made in a manner accessible to employees, collaborators and other persons, in particular by posting notices for employees and collaborators at the place or by sending its text electronically.

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Annex No. 1 to the Policy for protecting minors against harm:

**Intervention card**

1. Name and surname of the minor
2. Reason for intervention (form of harm) - description
3. A person reporting suspected abuse
4. Actions taken against the minor (referral to specialists, including which ones and dates)
5. Assistance plan arrangements (if applicable)
6. Meetings with the minor's guardians:
  - a. Description (including date)
  - b. ....
7. Legal intervention (circle as appropriate)
  - a. notification of suspicion of committing a crime,
  - b. application for insight into the situation of a minor/family,
  - c. a different type of intervention. What? (description)
8. Data regarding the intervention (name and address of the authority to which the intervention was reported) and date of the intervention
9. Results of the intervention: actions of justice authorities if the organization obtained information about the results/actions of the organization/actions of parents

Annex No. 2 to the Policy for protecting minors against harm

**Policy monitoring – survey**

<b>no</b>	<b>Question</b>	<b>Yes</b>	<b>NO</b>
1.	Have you read the Policy for protecting minors from harm?		
2.	Can you recognize the symptoms of harm to minors?		
3.	Do you know how to respond to symptoms of abuse against minors?		
4.	Have you ever observed a violation of the rules contained in the Policy for the Protection of Minors from Harm by another employee?		
5.	Do you have any comments/amendments/suggestions regarding the Policy for the Protection of Minors from Harm? ( <i>enter below the table</i> )		

Town, .....

**Statement**

..... with ID card no  
..... I declare, that

I have not been convicted of a crime against sexual freedom or decency, a crime involving violence to the detriment of a minor, and there are no criminal (including preparatory proceedings) or disciplinary proceedings pending against me in this regard.

.....

*signature*

Annex No. 4 to the Policy for protecting minors against harm

**The scope of employee/collaborator's data necessary to be checked in the Register of Sexual Offense Perpetrators.**

First name and last name: .....

Date of birth: .....

Personal identity number: .....

Family name: .....

Father's name: .....

Mother's name: .....

**Guidelines for recording the image of a minor  
(photos, videos)**

- All minors must be clothed.
- Recorded images should focus on activities performed by minors and, whenever possible, depict groups of minors rather than individual persons.
- Make sure the photographer or person filming does not spend time with or have unsupervised access to minors.
- Any suspicions and problems regarding inappropriate images of minors should be reported and recorded, as should other disturbing signals regarding threats to the safety of minors.

**Guidelines for publishing images of minors**

- Use only minors' names; don't reveal too many details about their place of residence or interests.
- Ask your child for permission to use his or her image.
- If possible, ask for the consent of the minor's parents/guardians and inform all interested parties about where and how you intend to use the minor's image.
- Try to use images showing a wide cross-section of minors - boys and girls, minors of different ages, with different talents, levels of ability and representing different ethnic groups.
- Ask specialists for advice on posting images of minors on a website - set aside time to process the photos before posting them on the website. If the videos come from your organization's server, the material may be downloaded, so it is recommended to use an independent server.

## Notification of suspicion of committing a crime (template)

Place , on .....

District Prosecutor's Office in ..... [1]

Notifier: ..... with headquarters in .....

represented by: .....

correspondence address: .....

### Notification of suspicion of committing a crime.

I hereby submit a report on the suspicion of committing a crime .....to the detriment of minor ..... (name and surname, date of birth) by ..... (name and surname of the alleged perpetrator).

#### Justification

During the performance of official duties by ..... (employee/volunteer's name and surname) - towards the minor/his .....name and surname), the child revealed disturbing content regarding relations with ..... [2].

Further description of the suspected offense

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

Taking into account the above information, as well as the welfare and safety of the minor, I request that proceedings be initiated in this matter.

The person who can provide more information is ..... (name, surname, telephone number, correspondence address).

Please send all correspondence regarding the matter to the correspondence address, quoting the number and number of the letter's journal.

.....  
signature of an authorized person

[1] The notification should be submitted to the district prosecutor's office/police competent for the place where the crime was committed.

[2] Description of the situation that occurred. It should be completed in accordance with what happened (it is important to indicate, for example: when and where the event took place, who could have seen/know about it, who could have committed the crime).



Annex No. 7 to the Policy for protecting minors against harm

**Sample application for insight into the family situation**

Place , date .....

District Court

IN.....

3rd Family and Juvenile Department <sup>[1]</sup>

Applicant: .....

represented by: .....

correspondence address: .....

Participants in the proceedings: ..... (names and surnames of parents)

ul..... (residence address)

parents of the minor: .....(minor's name and surname, date of birth)

**Application for insight into the minor's situation**

I hereby request that you review the situation of the minor ..... (minor's name and surname, date of birth <sup>[2]</sup>) and issue appropriate guardianship orders.

**Justification**

The information obtained from ..... employees who are in contact with the minor shows that

The family does not have a Blue Card.

Taking the above facts into account, it can be assumed that the welfare of the minor ..... is at risk and ..... do not exercise parental authority properly. Therefore, a request for insight into the minor's family situation and possible parental support is justified.

The employee taking care of a minor in the organization is.....(name, surname, business telephone number, address of the facility).

..... (signature)

Attachments:

1. Ev. documents as available,
2. Copy of the letter.

<sup>[1]</sup>The application should be submitted to the court having jurisdiction over the minor's place of residence, not place of residence.

<sup>121</sup>Always provide the name and surname of the minor and his/her address. Only in such a case the court can effectively help, among others: by sending a probation officer to the family for an interview.