

STANDARD FOR THE PROTECTION OF MINORS

in the *Scandic Hotel*

Preamble

Mindful of the legal obligation under the Act on the Prevention of Sexual Offences and Protection of Minors of 13 May 2016 and the United Nations Guiding Principles on Business and Human Rights, in recognition of the vital role that business plays in ensuring respect for children's rights, the *Scandic Hotel* adopts the Standards for the Protection of Minors (also referred to as the "**SPM**" or the "**Standards**"). This document constitutes a set of rules and procedures to follow if you suspect that a child who stays on the *Scandic Hotel* premises is being harmed and to prevent such risks, with consideration for the situation of children with disabilities and children with special educational needs .

The Standards for the Protection of Minors in the *Scandic Hotel* are applied on the basis of the following principles:

1. The *Scandic Hotel* operates with due respect for the rights of children as vulnerable persons.
2. The *Scandic Hotel* recognises its role in running a socially responsible business and promoting socially desirable attitudes.
3. The *Scandic Hotel* puts a particular emphasis on the significance of the legal and social obligation to notify law enforcement authorities of any suspected offence against children and undertakes to provide relevant training to its staff.

Glossary:

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

1. **SCANDIC Hotel** – SCANDIC Polen Sp. z o.o. based in Gdańsk (80-895), at ul. Podwale Grodzkie 9, entered into the Register of Entrepreneurs kept by the National Court Register, under number 0000288532
2. **Tourist facilities** – hotel facilities and any other facilities providing hotel services as defined in the Act of 29 August 1997 on Hotel Services and Services Provided by Tour Leaders and Tour Guides.
3. **Child/minor** – for the purposes of these standards, a child is any person under 18 years of age.¹

¹ Under Polish law, a child is any person under 18 years of age (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 non-adult person, i.e. a person under the age of 18 or a woman who has attained majority through marriage after the age of 16 (Article 10 § 1 and 2 of the Polish Civil Code), which may take place upon authorisation by a

4. **Child's carer** – a legal representative of the child: their parent or carer, foster parent; temporary carer (i.e. a person authorised to represent a minor citizen of Ukraine residing in the territory of the Republic of Poland unaccompanied by adults)².
5. **Third party adult** – any person over 18 years of age who is not the child's parent or legal guardian.
6. **Child maltreatment** – is understood to mean any conduct that may constitute a criminal act to the detriment of a child by any person, including a staff member of the unit, or a threat to the welfare of a child, including the neglect of a child; any intentional or unintentional act/omission on the part of an individual, institution or society as a whole, and any result of such act or omission that violates the rights, freedoms and personal rights of children and/or disrupts their optimal development.
7. **Forms of violence against a child:**
 - **Physical violence** against a child is violence as a result of which a child suffers or is potentially threatened with actual physical harm. This harm is caused by an act or omission on the part of a parent or any other person who is responsible for the child, whom the child trusts or who has authority over the child. Physical violence against a child can be a repeated or one-off act.
 - **Psychological violence** against a child is a chronic, non-physical, harmful interaction between a child and their carer, involving both acts and omissions. It includes, but is not limited to, emotional unavailability, emotional neglect, a relationship with the child based on hostility, blaming, denigration and rejection, developmentally inappropriate or inconsistent interactions with the child, failure to recognise or acknowledge the child's individuality and psychological boundaries between the parent and child.
 - **Child sexual abuse** is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power. Sexual abuse can also take the form of **sexual exploitation**, understood as any actual or attempted abuse of a position of vulnerability, power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual

guardianship court for valid reasons and if the circumstances suggest that the marriage will be in the best interests of the newly-established family (Article 10 § 1 of the Family and Guardianship Court).

²Parents – Article 98 of the Polish Family and Guardianship Code; carer – Article 155 of the Polish Family and Guardianship Code; foster parent – Article 1121 of the Polish Family and Guardianship Code; temporary carer; Article 25 of the Law on Assistance to Ukrainian Citizens in Connection with the Armed Conflict in the Territory of Ukraine.

exploitation of another. There is a particular risk of sexual exploitation during humanitarian crises. Both children and their carers are at risk of exploitation (definition after UN Bulletin ST/SGB/2003/13).

- **Child neglect** is the persistent or incidental failure to meet a child's basic physical and psychological needs and/or to respect the child's basic rights, resulting in impairment of the child's health and/or development Neglect occurs in a child's relationship with a person who has the duty to take care of, raise, look after and protect the child.
8. **Offence against a child** – all offences that can be committed against adults and, in addition, offences that can be committed only against children (e.g. Sexual Exploitation under Article 200 of the Polish Criminal Code³). Given the nature of accommodation facilities, offering easy opportunities for seclusion, the offences most likely to occur on their premises will be offences against sexual freedom and propriety, in particular rape (Article 197 of the Polish Criminal Code), sexual exploitation of insanity and helplessness (Article 198 of the Polish Criminal Code), sexual exploitation of dependence or critical position (Article 199 of the Polish Criminal Code), sexual exploitation of a person under 15 years of age (Article 200 of the Polish Criminal Code), grooming (seduction of a minor by means of remote communication – Article 200a of the Polish Criminal Code).
 9. **Other forms of child maltreatment** than a criminal offence against a child – all forms of violence used against a child that do not fulfil the characteristics of an indictable criminal offence (e.g. shouting, humiliation, tugging, name-calling, neglect, etc.).
 10. **Staff member** – a person with an employment contract or performing work under a similar contract (e.g. contract of mandate, B2B, contract for a specific task), as well as an intern, a trainee, a volunteer, etc.
 11. **Staff member working with children** – any person who performs tasks or is entrusted with tasks related to the upbringing, education, leisure, medical treatment, psychological counselling, spiritual development, sports or other hobbies of minors, or their care.
 12. **Entrepreneur** – the body/entity/person managing a given facility or network of facilities and responsible for the proper formal operation of the facility.

CHAPTER I. HOTEL STAFF MEMBERS

General rules

1. The *Scandic Hotel* is committed to educating its staff on circumstances suggesting that a child staying on hotel the premises may be suffering harm and on how to respond to such situations in a prompt and appropriate manner. The hotel can deliver the aforementioned education through various forms of training, e.g.: external training,

³ Act of 6 June 1997 Criminal Code (consolidated text of Journal of Laws of 2022, item 1138, as amended).

internal training, e-learning, educational materials developed by the hotel and available to staff, educational materials available free of charge, developed by other organisations.

2. Prior to being allowed to work, every staff member is briefed on the SPM, as evidenced by their declaration and promise to comply with the rules and procedures contained herein.
3. Staff members working with children undergo periodic training, which is documented by the employer.
4. The *Scandic Hotel* is committed to addressing the situation of children with disabilities and children with special educational needs by adapting the guidelines to the specific nature and scope of the hotel.

Recruitment of staff to work with children

1. Anyone working with children shall demonstrate that they have no past record of child maltreatment in their employment history.
2. Any person recruited/delegated by the *Scandic Hotel* to work with children shall be compulsorily screened in the Sex Offender Register. The same applies to staff who are minors, i.e. under 18 years of age. The screening of an individual in the Register shall be done by printing out the results of the individual's search in the Register with restricted access, which are then placed in the personal file of the screened individual.
3. Furthermore, anyone recruited/delegated to work with children shall provide information from the National Criminal Register for offences specified in Chapters XIX and XXV of the Polish Criminal Code, in Articles 189a and 207 of the Criminal Code and in the Act of 29 July 2005 on Counteracting Drug Addiction (Journal of Laws 2023, item 172 and 2022, item 2600), or for corresponding offences specified in foreign laws.
4. If a person recruited/delegated has a nationality other than Polish, the person shall also submit information from the criminal record of the country of which they are a national, obtained for the purposes of professional or voluntary activities involving contact with children, or information from the criminal record if the law of that country does not provide for the issuing of information for the aforementioned purposes.
5. The recruited/delegated person shall also make a statement about their country/countries of residence other than the Republic of Poland in the last 20 years and the country of citizenship, made under pain of criminal liability.
6. If the law of the country from which the certificate of clean criminal record needs to be submitted does not issue such information or does not maintain any criminal record, the recruited/delegated person shall make a statement to that effect under pain of criminal liability.

7. The following statement shall be made under pain of criminal liability: “I am aware of the criminal liability for making a false statement.” This statement replaces the authority’s instruction on criminal liability for making a false statement.
8. When using external service providers, the hotel shall include a provision in its contract with the service provider to ensure that the provider applies an appropriate standard of staff screening to keep children safe. The provision will allow the hotel to monitor compliance with the obligation on pain of immediate termination of the contract and liquidated damages or other sanctions for failure to comply with the terms of the contract in this regard.

Powers and responsibilities of persons designated to implement the Standards for the Protection of Minors

1. The Entrepreneur shall supervise the application of the SPM.
2. The Entrepreneur shall appoint an SPM coordinator (hereinafter referred to as the “**Coordinator**”).
3. The Coordinator is the person in charge of making staff members familiar with the content of the SPM and monitoring the application of the Standards in the *Scandic Hotel*.
4. The Coordinator shall organise and document the process of educating staff members on how to recognise signs that a child in the hotel may experience maltreatment and how to respond to such situations in a prompt and appropriate manner, in accordance with the procedures adopted by the hotel.
5. The Coordinator shall describe each intervention or reported incident involving child maltreatment in the hotel in a dedicated document (e.g. an incident log or intervention register).
6. Where there is a reasonable suspicion of a crime, the Coordinator shall be responsible for securing evidence, including surveillance footage, and submitting it to the public prosecutor or the police upon request, in the form of a copy, by registered mail or in person.
7. The Coordinator is responsible for conducting the procedure when a child has been harmed by a hotel staff member or any other adult who is not directly employed by the *Scandic Hotel* but by a third party.
8. The Coordinator is responsible for monitoring and updating the SPM and its availability to staff, visitors and anyone else working in the hotel.
9. The Coordinator’s data shall be available to all hotel staff members and guests, including children. The data must include information on how to contact the Coordinator (e-mail address, telephone, availability: days and working hours).

Principles of safe staff member-child relations

1. All staff members of the *Scandic Hotel*, including other adults who have contact with children on the premises with the consent of the hotel, are required to apply the SPM.
2. The fundamental principle of all actions taken by staff members who have contact with children on the premises of the *Scandic Hotel* is to treat children with respect and have regard to their dignity and needs.
3. It is unacceptable for staff members and other adults to use any form of violence against a child.

If you witness any unacceptable behaviour and/or situation involving other adults or children, please be sure to always notify the person in charge of implementing and monitoring the SPM in the hotel:

Gdańsk: Alicja Warsińska, HR, 58 300 60 98 or 601 551 814

Wrocław: Małgorzata Szostakiewicz, HR, 71 787 01 01 or 669 618 111

or your line manager.

CHAPTER II. PROCEDURE FOR IDENTIFYING A CHILD DURING REGISTRATION AT THE RECEPTION DESK

1. One way to effectively prevent child maltreatment is to establish the identity of any child staying in the hotel and their relationship with the adult they are staying with.
2. The reception desk staff member takes all possible steps to identify a child and their relationship with the adult who accompanies them.
3. In order to identify a child and their relationship to the person they are staying with in the hotel, it is necessary to:
 - a. request the child's identity document or any other document proving that the adult is authorised to take care of the child. Documents that can be used for identification purposes include, but are not limited to the following: identity card, school ID card, MOBywatel app, Online Patient Account, court decision. If the child has no identity document or the adult refuses to produce one, ask for the child's details (name, address, PESEL number).
 - b. In the absence of documents demonstrating that the child and adult are related, or if the adult refuses to produce them, the adult and the child should be asked about this relationship.
 - c. If the adult is not the child's parent or legal guardian, they should be requested to produce a document, e.g. a notarial parental consent for the person to travel with the child, or a consent signed by the child's parent, specifying the child's details, address, the parent's telephone number and the identity document/PESEL number of the person whom the parent has authorised to take care of the child.

If the adult does not have any of the aforementioned documents, they should be requested to complete a relevant declaration according to the model prepared by the Hotel. The declaration should provide details of the child and of the adult with whom the child is staying, along with indicating the type of relationship between the child and the adult. If the adult is not the child's parent or legal guardian, they should declare that the parent(s)/legal guardian(s) have given their consent for them to take care of the child (Appendix No. 1).

4. If the adult refuses to show the child's document and/or specify the relationship, please explain that the procedure is intended to ensure the safety of children visiting the *Scandic Hotel* and that, under the Act of 13 May 2016, hotel staff members are required to comply with child rights legislation. Having clarified things with a positive outcome, be sure to say thank you to the adult for taking the time to make sure that the child is well taken care of.
5. If the dialogue does not dispel your suspicions about the adult and their intentions to harm the child, particularly if the adult refuses to show their ID, or the child does not have any ID document, and the adult refuses to make a written statement, you should report this in a confidential manner to the supervisor and security staff (if they are on the premises at the time) in such a way as not to arouse suspicion (you can, for instance, say that you need to use equipment at the back of the reception desk and request the adult to wait with the child in the lobby, restaurant or any other area).
6. From the moment the first doubts arise, both the child and the adult should stay, as far as possible, within sight of the hotel staff member and should not be left alone.
7. The supervisor who has been made aware of the situation shall take over the dialogue with the adult for further clarification.
8. If the dialogue confirms the suspicion that a crime has been attempted or committed against the child, the supervisor shall notify the police. Next, the same procedure applies as in the case of circumstances suggesting child maltreatment (see Chapter III).
9. If unusual and/or suspicious situations are witnessed by staff members from other departments, e.g. cleaning service, room service, bar and restaurant staff, relaxation area staff, security staff, etc., they should immediately notify their supervisor or, in the supervisor's absence, the decision-maker who shall take appropriate action (see points 7 and 8 above).
10. Depending on the situation and location, the supervisor verifies to what extent the suspicion of child maltreatment is justified. To this end, the supervisor shall select appropriate measures to clarify the situation or decide to intervene and notify the police.

CHAPTER III. PROCEDURE IN THE EVENT OF CIRCUMSTANCES SUGGESTING MALTREATMENT OF A CHILD BY AN ADULT

1. A reasonable suspicion of child maltreatment occurs when:
 - a. a child has disclosed maltreatment to a hotel staff member,
 - b. a staff member has noticed maltreatment,
 - c. a child has signs of abuse (e.g. scratches, bruises), when asked, the child responds in an incoherent and/or chaotic manner and/or becomes embarrassed, or there are other circumstances that may suggest abuse e.g. child pornography found in an adult's room.
2. A staff member who has a reasonable suspicion that a child staying on the hotel premises is being or has been maltreated should immediately notify the supervisor/decision maker, who shall notify the police. If there is a threat to the child's safety, the staff member who has a reasonable suspicion of the child being maltreated shall immediately notify the police by calling 112 and describing the circumstances of the incident. Notwithstanding the above, the staff member shall notify the *Scandic Hotel* Coordinator of the incident.

CHAPTER IV. PROCEDURE IN THE EVENT OF SUSPECTED OR CONFIRMED CHILD MALTREATMENT BY A STAFF MEMBER OR ANY OTHER ADULT

1. If a hotel staff member or any other adult who is not directly employed by the *Scandic Hotel* but by a third party is suspected of maltreating a child, the person who becomes aware of the situation should promptly notify the Coordinator or, in the Coordinator's absence, another person designated for this purpose.
2. If a child's life or health is at risk, anyone who becomes aware of the situation should immediately notify the police by calling the 112 emergency number, giving their own details, the child's details (where possible), the child's whereabouts and a description of the circumstances of the case, along with notifying the supervisor/decision maker, who shall notify the child's guardians/parents. The person who learns of the incident shall also notify the Coordinator, at least by email/written communication.
3. Where a staff member has maltreated a child other than by committing an offence against the child, the Coordinator, once made aware of this, shall investigate all the circumstances of the case, in particular by interviewing the staff member suspected of maltreatment and other witnesses. Where the harm to the child is significant, in particular where the child has suffered discrimination or a violation of their dignity, the Coordinator should recommend the person in charge of the unit to take appropriate HR action in relation to that staff member.
4. If the person who has been involved in child maltreatment is not directly employed by the *Scandic Hotel* but by a third party (e.g. outsourcing), it is necessary to make a

recommendation to prohibit the person from entering the premises of the *Scandic Hotel* and, where necessary, to terminate the contract with the third party.

CHAPTER V. PROCEDURE IN THE EVENT OF IDENTIFYING OTHER FORMS OF VIOLENCE AGAINST A CHILD ON THE PART OF A PARENT/LEGAL GUARDIAN OR ANY OTHER ADULT

1. If a child is found to be maltreated by their parent/legal guardian or any other adult with whom the child is staying on the hotel premises, any staff member who witnesses such abuse should take a determined action in response.
2. If a child's life or health is at risk, anyone who becomes aware of the situation should immediately notify the police by calling the 112 emergency number, giving their own details, the child's details (where possible), the child's whereabouts and a description of the circumstances of the case, along with notifying the supervisor/decision maker. The person who learns of the incident shall also notify the Coordinator, at least by email/written communication.
3. If a *Scandic Hotel* staff member witnesses physical violence being inflicted on a child (spanking, jerking, shouting, any other type of violence listed in the definition of physical violence), they should try to stop the maltreatment and react.
4. Where a child under 7 years of age is left unattended, the staff member who becomes aware of such an incident should notify their supervisor. The supervisor who has been made aware of the situation shall decide on what further action to take, considering the circumstances and with due regard to the context of the provisions of the Criminal Code and the Code of Petty Offences⁴. Depending on this, the supervisor shall attempt to find the parent/legal guardian or any other adult with whom the child is staying on the premises and explain them that they cannot leave the child unattended. Where it is not possible to find the parent/legal guardian or any other adult with whom the child is staying on the premises, or the parent/legal guardian/other adult is unwilling and/or unable to take charge of the child, the supervisor shall notify the police. The safety of the child must be a priority at all times.

CHAPTER V: MONITORING AND EVALUATION OF STANDARDS FOR THE PROTECTION OF MINORS

1. The entrepreneur shall appoint a Coordinator in charge of the Standards for the Protection of Minors in force in the *Scandic Hotel* and make their contact details

⁴ Article 160(1) and (2); Article 210(1) of the Criminal Code, Article 106 of the Code of Petty Offences

available in a place easily accessible to the hotel's staff and guests, including children.

2. The entrepreneur shall define the tasks and competences of the Coordinator in preparing staff members to follow the SPM, the rules for preparing staff members to follow them and the way in which these activities are documented.
3. The Coordinator referred to in the preceding point shall monitor and evaluate the SPM once every two years.
4. The monitoring and evaluation shall involve verifying the implementation of the Standards, responding to notices of violation of the rules and procedures and proposing changes to the document, in particular with a view to adapting them to present needs and complying with current legislation.
5. The Coordinator shall conduct a survey among the staff of the *Scandic Hotel*, once every 2 years, to monitor the level of implementation of the SPM.
6. In the survey, staff members are free to suggest changes and identify violations of SPM rules and procedures in the hotel.
7. The Coordinator shall process the surveys completed by staff members, draw up a monitoring report on this basis and submit it to the entrepreneur.. The entrepreneur shall make the necessary changes to the document and shall announce the new wording of the Standards for the Protection of Minors to staff members.

Final provisions

1. The Standards for the Protection of Minors take effect as of 15 August 2024.
2. The Standards for the Protection of Minors shall be made available to all staff members on the *Scandic Hotel* website and at the reception desk.
3. The Standards for the Protection of Minors *shall be made available to all guests* on the *Scandic Hotel* website and at the reception desk.
4. The Standards for the Protection of Minors shall be made available in a comprehensible and abbreviated version addressed to children staying in the *Scandic Hotel* in a place accessible to them.

Appendix No. 1

_____, on _____

AUTHORISATION TO TAKE CARE OF A CHILD

I, _____, residing in _____
(first and last name of the parent/legal guardian) (address of the parent/legal guardian)

ID document (series and number) _____ being a parent/
legal guardian, with the right to exercise care over the child, _____
number

PESEL _____, residing in _____
(first and last name of the child)

(PESEL of the child) (address of the child)
I authorise Mr/Ms _____, residing in _____ (first and last
name of the person who receives the authorisation) (address of the person who receives the authorisation)
_____, ID document (series and number)
_____ to take care of and manage day-to-day and emergency matters
related to the care of the aforementioned child during the child's stay in the hotel
_____ on _____
(full name of the hotel, place) (time frame of the hotel stay)

At the same time, I declare that there is a degree of kinship between the person authorised to take
care of my child and my child: _____
(specify the degree of kinship)

I am aware of the criminal liability for making a false statement under
Article 233 § 6 of the Act of 6 June 1997 – Criminal Code.⁵

(signature of the parent/legal guardian)

⁵Article 233 of the Polish Criminal Code (excerpt) Whoever, while giving testimony intended to be used as evidence in court proceedings or in other proceedings conducted in accordance with the Act, gives false testimony or conceals the truth, shall be subject to imprisonment for a term of between 6 months and 8 years. The provisions shall apply accordingly to a person who makes a false statement if a provision of the Act provides for the possibility of receiving the statement under pain of criminal liability.