**APPENDIX TO**

 **INTERNAL REGULATION 1/02/2024**

**OF THE GENERAL MANAGER OF**

**AKADEMIA EKONOMICZNO-HUMANISTYCZNA W WARSZAWIE**

**[UNIVERSITY OF ECONOMICS AND HUMAN SCIENCES IN WARSAW]**

**DATED 1 FEBRUARY 2024**

**PROCEDURE FOR THE PROTECTION OF UNDERAGE PERSONS**

**ON THE PREMISES OF THE VIZJA PARK GUEST ROOM VENUE**

Having regard to the provisions of the Act of 13 May 2016 on the prevention of the risk of sexual crime and on the protection of underage persons, particularly those provisions of this statute which require public lodging establishments other than providers of hotel or tourist services to have standards in place for the protection of underage persons implemented to the extent required to ensure such protection, and recognising the important role of the business sector in efforts to ensure that the rights of children are respected and, most notably, to ensure the protection of their dignity and freedom from any forms of harm, the management of the Vizja Park Guest Room Venue have adopted this document with rules to be followed (a) when it is believed that a child on the premises of the venue may be suffering any harm and (b) to prevent the risk of such harm.

**DEFINITIONS**

Any reference in this document to

1. **Vizja Park guest rooms** is a reference to guest rooms made available for short-term use in the Vizja Park building located at number 59, Okopowa street, Warsaw, Poland;
2. a **worker** is a reference to any person that performs work for the Vizja Park Guest Room venue as an employee under a contract of employment or a service provider under any other contract;
3. a **child** or an **underage person** is a reference to any person under the age of 18 years;
4. an **unrelated adult** is a reference to any person aged 18 or older who is not a particular underage person's parent or legal guardian;
5. **causing harm to a child** is a reference to the commission of a criminal offence to the detriment of that child;
6. **a criminal offence to the detriment of a child** is a reference to any criminal offence that may be committed against an adult person and, additionally, any criminal offence that may be committed against a child only (such as the sexual abuse offence described in s.200 of the Polish Penal Code[[1]](#footnote-1)). Given the nature of the Vizja Park Guest Room venue, where is it easy for any person to find isolation from other people, the criminal offences most likely to be committed there include offences against sexual freedom and decency, particularly rape (s.197 of the Penal Code), sexual abuse of another person's insanity and helplessness (s.198 of the Penal Code), sexual abuse of another person by taking advantage of their dependence or critical situation (s.199 of the Penal Code), sexual abuse of a person under 15 years of age (s.200 of the Penal Code), child grooming (seduction of an underage person by means of distance communication: s.200a of the Penal Code);
7. a **guest** is a reference to an unrelated adult staying on the premises of the Vizja Park Guest Room venue.

**RULES FOR DEALING WITH CASES OF**

**SUSPECTED HARM TO AN UNDERAGE PERSON**

1. Whenever possible, any underage person accompanied by an adult in the venue and that person's relationship with that adult must be identified.
2. In an unusual and/or suspicious situation indicating the risk of harm to a child, a reception desk worker must perform such identification. Examples of suspicious situations are given in **Appendix 1**.
3. The identification of the underage person accompanied by an adult in the venue and that person's relationship with that adult must be performed as follows:
	1. Ask them to fill in an **additional form** concerning the relationship between the underage person and the guest.
	2. Ask for the child's name and find out who the adult that the child has come with to the venue and/or is accompanied by in the venue is for the child[[2]](#footnote-2). This can be done by asking for the child's identity document or any other document confirming that the adult has the right or is authorised to take care of the child in the venue. Such documents may include an identity document showing that the adult is the child's blood relative, a official document from a registry office, a court order, a statement of consent by the child's parent for the adult to travel with the child (the parent's signature must be authenticated by a notary), a statement of consent by the child's parent for the adult to travel with the child if the statement contains the child's details, home address, the parent's phone number and details of the identity document (or PESEL [national ID number]) of the person authorised by the parent to take care of the child. If the child has no identity document, you can ask for the child's details (their forename, surname, address, PESEL [national ID number]).
	3. If no document showing that the adult is the child's blood relative is available, ask the adult and the **child** about the relationship between them. An example of a conversation with the child and the adult can be found in **Appendix 2**.
	4. If the adult is not the child's parent or legal guardian, ask the adult if they have a document showing that the adult is authorised by the child's parents to travel with the child (for example, a written statement of consent)[[3]](#footnote-3);
	5. If the adult has no document showing that the adult is authorised by the child's parents to travel with the child, ask the adult or the child for the child's parent's (parents') phone number so that they can be contacted to confirm that the child is accompanied by the adult with the knowledge and consent of the child's parents/legal guardians.
4. If the adult refuses to show you the child's (identity) document and/or to disclose their relationship with the child, explain to the adult that the purpose of this procedure is to ensure the safety of all children in the Vizja Park Guest Room venue and that this procedure has been prepared in cooperation with nongovernmental organisations that work to protect the safety of children.
5. When the matter is dealt with successfully, thank the adult for the time you needed to make sure that the child is safe and stress one more time that the purpose of this procedure is to ensure the safety of children.
6. If, after talking to the adult, you are still in doubt about the identity of the adult and their intention to cause harm to the child, discreetly report it to your manager and the security guards (if they are available in the venue). To avoid any suspicion, you may, for example, tell the adult that you need to go to the back room in the reception area to use some equipment and so ask the adult to wait with the child in the hall, the restaurant or elsewhere.
7. As soon as you have any doubt, both the adult and the child should be watched by a staff member at all times and should not be left unattended.
8. The manager informed about the situation must make the decision to report the matter to the police or, if in doubt, take over the conversation with the adult to find our further information.
9. If the conversation confirms that a criminal offence to the detriment of the child has been attempted or actually committed, the manager must report it to the police. If the circumstances indicate that the child has been harmed, follow this procedure accordingly.
10. If the unusual and/or suspicious situation was witnessed by a person other than a member of the Vizja Park Guest Room venue reception office staff, such as cleaning personnel, room service personnel, restaurant workers, security guards, that person must immediately report the situation to their manager, who will decide what actions should be taken.
11. Depending on the situation and the location, the manager will assess how likely it is that the child has been or is being harmed. For this purpose, the manager must decide on appropriate steps to investigate the matter or decide to call the police and ask them for support.

**RULES TO BE FOLLOWED IF THE CIRCUMSTANCES INDICATE**

**THAT AN UNDERAGE PERSON HAS BEEN HARMED**

1. If it is reasonably believed that a child present in the venue is being harmed, you must contact the police immediately by calling 112 and reporting the circumstances to the police. Depending on how the situation is developing, the police should be contacted by the eye witness to the situation (a worker or a worker's manager). If the police is contacted by a worker, the worker must also report the matter to their manager.
2. It may be reasonably believed that a child present in the venue is being harmed if:
	1. the child has told a member of the venue's staff that the child has been or is being harmed,
	2. a member of the venue's staff (a worker) has seen the child being harmed,
	3. the child's body shows signs of harm caused to the child (such as scratches or bruises) and, when the child is asked about these signs, the child's answers are inconsistent and/or chaotic or the child looks embarrassed, or there are any other circumstances indicating harm being caused to the child (for example, if any child pornography materials are found in the adult's room).
3. If this is the case, the child and the adult suspected of having caused harm to the child must be prevented from leaving the venue.
4. In justified cases, the adult may be arrested by a member of the public. If the adult is so arrested, the adult must stay in a separate room and be watched by two workers (members of the venue staff) until the police arrive. Steps must be taken to ensure that the adult is not seen by other guests.
5. The safety of the child must be protected regardless of the circumstances. The child must remain under the care of a worker (a member of the venue staff) until the police arrive.
6. If it is reasonably believed that a criminal offence has been committed involving a child's exposure to the offender's biological material (sperm, saliva or epidermis (skin)), the child should, as far as possible, be prevented from washing themselves, eating and/or drinking until the arrival of the police.
7. When the child is collected by the police, CCTV footage and other relevant evidence (such as documents) relating to the offence must be secured. When such evidence is requested by the police or a public prosecutor, a copy of the evidence must be sent to them by registered post.
8. The final step for the worker (member of the venue staff) is to draw up a memo about the event.

**RULES TO BE FOLLOWED TO ENSURE SAFE INTERACTIONS**

**BETWEEN CHILDREN AND WORKERS (THE VENUE STAFF)**

1. Each worker (member of the venue staff) must avoid situations where they are present in a room with a child and no other person is there with them, except where the safety (and, in particular, the health or life) of a child would be put at risk if the child stayed alone in a room. The presence of an adult or CCTV cameras in operation should be provided as far as possible. You may also try to plan your work so that you could resume work when such circumstances cease.
2. Any contact between a worker (a member of the venue staff) and a child present in the venue should be limited to interactions necessitated by the worker's work duties.

**FINAL PROVISIONS**

1. Whenever the rules described in this procedure are implemented, your should bear in mind that their implementation may cause inconvenience to the venue's guests and, therefore, you should demonstrate an attitude of understanding for their reactions and explain to them why it is necessary (and legally required) to implement this procedure. However, a guest's reaction must not be taken as an excuse for not implementing this procedure.
2. All the rules described in this document should be implemented in a way that is adequate to and reasonable under the circumstances at hand.
3. All members of the Vizja Park Guest Room venue staff should, in their interactions with underage persons, take into account the degree of such persons' emotional and intellectual development and, if the underage person is disabled or a person with special educational needs, also these factors.
4. This procedure will be made available on the [vizjapark.pl](https://vizjapark.pl/) website and will be displayed in a visible place in the Vizja Park Guest Room venue. Both the complete text of this procedure and a simplified version of this document (for children) must be made so available and displayed.
5. This procedure is effective as of 15 February 2024.
6. Each worker must make the statement in **Appendix 3** to acknowledge that they have read this document.

**APPENDIX 1**

**EXAMPLES OF SITUATIONS THAT MAY RAISE SUSPICIONS**

**OR INDICATE THAT**

**HARM IS BEING CAUSED**

**NOTE! The occurrence of any of the situations described below should not automatically be interpreted as proof that an underage person is being harmed. It is important to be vigilant and alert to worrying circumstances. Attention should be paid to situations where the interactions between the adult and the child do not seem to be based on care and freedom.**

**RECEPTION AREA (PERSONNEL)**

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| --- | --- |
| A guest refuses to provide their and the child's personal details.  | A guest takes a child to a room directly and it seems that the guest does not want the child to have any contact with the reception area staff.  |
| A guest says that they do not have their and/or the child's identity documents and refuses to give an explanation.  | A guest that checks in with a child invites other people who are not guests in the venue (such persons may stay in the venue for a short period of time).  |
| A guest uses cash or a prepaid card to make a payment or payments. They make a payment every day (as they do not know how long they are going to stay in the venue) or ask someone else to pay for accommodation in the venue. | A guests wants to rent a room for one hour only or not for a full day, or for a very long period of time.  |
| A guest brings with them gifts or other items that may be offered as gifts to children.  | A guest that comes to the venue with a child has no luggage at all or a small item of luggage (a small bag or a briefcase).  |
| A guest comes to the venue with a child that they have not checked in with before.  | A guest behaves towards a child in a sexually charged manner and the interactions between the adult and the child do not seem natural or based on care. |
| A guest with a child rents a room with the number of beds smaller than the number of guests to be checked in (for example, a room with a double, or king-size, bed).  | The child is not wearing the right clothes for the weather or the child's clothes are inappropriate when compared with how the adult accompanying the child is dressed.  |
| During the check-in process, the child seems uneasy, stressed or forced to be staying in the venue together with the adult.  | A child offering small items for sale or begging outside the venue. |
| A child comes back to the venue late at night or at a time when they can be expected to be at school.  | A child can't tell where they are or, when asked about where they are travelling, gives inconsistent answers.  |

**RESTAURANT AREA (PERSONNEL)**

|  |  |
| --- | --- |
| A guest comes to the bar or restaurant together with a child who is not checked in to stay in the venue with that guest.  | A person not checked in to stay in the venue seems to be looking for clients and to be offering something to them (it seems that the person may try to act as a 'middleman' in providing children's contact details).  |
| A guest asks about sexual services for adults, including such services involving young people (examples may include a conversation overheard at the bar or in the restaurant).  | Some teenagers are waiting for an adult at a table or at the bar. The adult comes and picks them up, although they do not seem to be the teenagers' parent or legal guardian (this adult may be a client, a procurer or a human trafficker).  |
| A child that seems unattended is asking for food, drinks or money.  | A child and an adult exchanging cash (this money may be the adult's payment for services).  |
| A child seems uneasy and/or nervous or avoids eye contact.  | An adult and a child checked in to stay in the venue do not turn up for breakfast. |
| An adult behaves towards a child in a sexually charged manner and the interactions between the adult and the child do not seem natural or based on care.  | An adult offers alcohol to a child. |

**CLEANING PERSONNEL**

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| The 'Do not disturb' hanger is often found on the door of a room in which a child or children is/are checked in.  | A guest refuses to have their room cleaned on all the days during their stay in the venue.[[4]](#footnote-4) |
| A large number of banknotes are found in a room (this may be proof of illegal payments).  | A child is left unattended in a room for a long time or never leaves the room (for example, food is delivered to them).  |
| A large number of computers, mobile phones or payment card readers are found in a room.  | An adult and a child or children do not often or never leave their room, or leave their room only when few guests are moving around the venue.  |
| Children's clothes and/or toys can be found in a room, although no child is checked in that room.  | An adult that is not a guest in the venue is present in the lobby. The person seems to be watching the surroundings and speaks to the venue's guest who has come with a child.  |
| A large amount of alcohol and/or a large number of drugs (substances) are found in a room in which an adult is checked in with a child.  | Condoms etc. are found in a visible place in a room in which an adult is checked in only with a child or children. |

**APPENDIX 2**

 **AN EXAMPLE OF A CONVERSATION WITH THE CHILD AND THE ADULT**

**FOR IDENTIFICATION PURPOSES**

When talking to the adult, stay calm and be kind and patient.

You may begin by telling the adult that the Vizja Park Guest Room venue has a child protection procedure in place and that this procedure requires you to ask the adult some questions to verify the child's details or to identify the adult's relationship with the child.

There may a situation where the adult feels uncomfortable, refuses to cooperate or expresses their dissatisfaction. This does not have to mean that the person is a potential criminal.

***Examples of conversations:***

*This venue has a child protection procedure in place. According to this procedure, we ask questions to all our guests in order to check their identity documents. Does the child have an identity document?* (A student ID card or badge, a passport or any other document?)

If the child does not have an identity document or if the document presented does not make it clear that the adult accompanying the child is the child's legal guardian, you may ask the following questions to assess the situation:

* *What is the child's name? How old is the child?*
* *Are you the child's legal guardian? Are you the child's blood relative? Do you have a document which confirms your right to take care of the child?*
* *Do you have a certificate from the child's legal guardians which confirms that the child is travelling with you as their carer?*
* *Can you give me the child's parent's or legal guardian's phone so that we could contact them and confirm you as the carer?*
* *Why are you travelling with the child?*

An example of a conversation with the child:

* *What's you name? How old are you? Where do you live?*
* *Who is the person you have come here (you are travelling with/you are staying) with?*
* *Do you know this gentleman/lady well?*
* *Where are your parents? We would like to contact your parents. Can you give us their phone number?*

If the adult answers the questions you have asked to the child, tell the adult that you wish to talk to the child. If the adult is making it difficult for you to talk to the child, you may tell the adult if you will have to contact the police if you can't check the child's identity.

**APPENDIX 3**

**WORKER'S STATEMENT**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(full name)

**STATEMENT**

I, the undersigned, acknowledge that I have read, understood and agree to comply with the **Procedure for the Protection of Underage Persons on the Premises of the Vizja Park Guest Room Venue**.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature)

1. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)