

STANDARDS FOR THE PROTECTION OF MINORS - INFORMATION FOR GUESTS

§ 1. Preamble

Taking into account the obligation arising from the Act of 13 May 2016 (Journal of Laws 2024, item 560) on counteracting threats of sexual offences and the protection of minors, requiring entities providing hotel and tourist services, as well as operators of other collective accommodation facilities, to introduce standards necessary to ensure the protection of minors, and recognizing the important role of businesses in ensuring respect for children's rights, in particular their right to dignity and freedom from all forms of harm, Hotel Maltański makes this document available for review as a summary of the standards, rules and procedures to be followed in the event of suspected harm to a child staying at Hotel Maltański and to prevent such risks.

§ 2. General Provisions

1. Hotel Maltański conducts its operations with the utmost respect for human rights, in particular the rights of children as persons particularly vulnerable to harm.
2. Hotel Maltański recognizes its role in conducting socially responsible business and promoting desirable social attitudes.
3. Hotel Maltański particularly emphasizes the legal and social obligation to notify law enforcement authorities of every suspected case of an offence committed to the detriment of a child and undertakes to train its staff in this regard.
4. Hotel Maltański undertakes to educate its staff about circumstances indicating that a child staying at the facility may be experiencing harm and about ways of responding quickly and appropriately to such situations.

§ 3. Definitions

1. Child – any person under 18 years of age.
2. Harm to a Child – the commission of a prohibited or punishable act against a child by any person, including a member of Staff, or a threat to the child's welfare, including neglect. All offences that may be committed against adults may also be committed to the detriment of children, as well as offences that may be committed exclusively against children (e.g. sexual abuse under Article 200 of the Criminal Code). Due to the nature of tourist facilities, where opportunities for isolation can be easily obtained, offences most likely to occur on the premises include offences against sexual freedom and morality, in particular rape (Article 197 of the Criminal Code), sexual exploitation of a person's incapacity or helplessness (Article 198), sexual exploitation of dependence or a critical situation (Article 199), sexual exploitation of a person under 15 years of age (Article 200), and grooming (enticement of a minor through means of remote communication – Article 200a).
3. Child's Guardian – a person authorized to represent the Child, in particular a parent or legal guardian. For the purposes of these Standards, a foster parent is also considered a Guardian.
4. Staff – a person employed by Hotel Maltański under an employment contract, civil-law contract, or a member of the organization.

§ 4. Rules for identifying a Child staying at the hotel and the Child's relationship with the adult accompanying them

1. When accepting a Child for a stay at Hotel Maltański, the Child and their relationship with the adult with whom they are staying at the hotel should always be verified whenever possible.
2. Verification by reception Staff is mandatory in unusual or suspicious situations indicating a risk of harm to the Child.
3. In order to identify the Child and establish their relationship with the person with whom they are staying at the hotel:
 - 1) Ask about the Child's identity and their relationship with the person who has arrived at or is staying at the hotel with them. For this purpose, the Child's identity document or another document confirming that the adult is entitled to exercise care over the Child may be requested (e.g. a civil-status document or court decision). If no identity document is available, the Child's details may be requested (first name, surname, address, PESEL number).

- 2) If there are no documents confirming a family relationship between the Child and the adult, ask both the adult and the Child about their relationship.
- 3) If the adult is not the Child's Guardian, ask whether they have a document confirming the Guardian's consent for the adult to travel with the Child (e.g. a written statement of consent from at least one of the Child's parents/legal guardians).
- 4) If the adult does not have a document confirming such consent, request the telephone number of the Child's parents/legal guardians in order to call them and confirm that the Child is staying at the hotel with an unrelated adult with their knowledge and consent.
4. If the adult does not understand the procedure or is unwilling to cooperate in providing the Child's documents or indicating the relationship, it should be explained that the procedure is intended to ensure the safety of children staying at Hotel Maltański and that this obligation arises from generally applicable law.
5. If the conversation does not dispel doubts concerning the adult and their possible intention to harm the Child, the Reception Manager or a person designated by them should be discreetly notified. To avoid raising suspicion, staff may, for example, refer to the need to use equipment at the back of the reception area and ask the adult to wait with the Child in the lobby, restaurant or another location.
6. From the moment the first doubts arise, both the Child and the adult should remain under continuous observation by Staff and should not be left alone.
7. The Reception Manager or a person designated by them decides whether to notify the police or, if necessary, takes over the conversation with the adult in question to obtain further clarification.
8. If the conversation confirms a belief that an offence against the Child has been attempted or committed, the Hotel Manager shall notify the Police. The rules applicable to circumstances indicating that a Child has been harmed shall then apply.
9. If unusual or suspicious situations are witnessed by Staff from other departments, such as housekeeping, room service, bar and restaurant staff, or security, they should immediately notify the Hotel Director or a person designated by them, who will decide on the appropriate course of action.

§ 5. Rules and procedures for responding where there is reasonable suspicion that the welfare of a Child on the hotel premises or using Hotel Maltański's services is at risk

1. Staff are knowledgeable about risk factors and signs of harm to children and, as part of their duties, remain alert to them.
2. Staff are required to immediately inform the Hotel Manager of any suspicion that a Child is being harmed.
3. Intervention is carried out by the Hotel Manager, who may appoint another person to perform this task, unless action by Staff alone is sufficient.
4. Reasonable suspicion of harm to a Child exists when:
 - 1) the Child has disclosed the fact that they are being harmed to a member of Staff;
 - 2) Staff have witnessed the harm;
 - 3) the Child has visible signs of harm (e.g. scratches or bruises) and, when asked, responds inconsistently and/or incoherently or becomes embarrassed, or other circumstances occur that may indicate harm, such as the discovery of pornographic material involving children in an adult's room;
 - 4) the Child's Guardian or a third party reports that the Child has been harmed.
5. Where there is suspicion that a Child is being harmed by another Child staying at the hotel (e.g. during group activities), a conversation should be held with the Child suspected of causing harm (where possible in the presence of their Guardian) and with the Guardian, as well as separately with the Child who has been harmed (where possible in the presence of their Guardian) and with the Guardian.
6. If there is suspicion that a Child is experiencing violence causing bodily injury, sexual abuse and/or a threat to their life from another Child, or repeated physical violence, repeated psychological violence or other repeated disturbing behaviour, the person intervening is additionally required to report the possibility that an offence has been committed or notify the nearest family court.
7. If there is suspicion that a Child is being harmed by their Guardian or by a person with whom they are staying at the hotel in the form of:

- 1) violence causing bodily injury, sexual abuse and/or a threat to the Child's life, Staff are required to ensure the Child's safety, separate the Child from the suspected Guardian/adult, and notify the police at 112 or 997;
 - 2) other offences, the person intervening is required to notify the police or prosecutor by reporting the possibility that an offence has been committed;
 - 3) a single incident of other physical violence (e.g. spanking, pushing, shoving), psychological violence (e.g. humiliation, discrimination, ridicule) or other disturbing behaviour (e.g. shouting, inappropriate comments), Staff are required to ensure the Child's safety and speak with the Guardian/adult suspected of causing harm; in the event of repeated violence, the person intervening is required to notify the relevant social welfare centre and, simultaneously, submit an application to the family court requesting an examination of the family's situation.
8. If a member of Staff suspects that a Child is being harmed by third parties (including a member of Staff) in the form of:
- 1) violence causing bodily injury, sexual abuse and/or a threat to the Child's life, Staff are required to ensure the Child's safety, separate the Child from the person suspected of causing harm, and notify the police at 112 or 997;
 - 2) other types of offences, Staff are required to ensure the Child's safety, separate the Child from the person suspected of causing harm, and notify the police or prosecutor in writing by reporting the possibility that an offence has been committed;
 - 3) a single incident of other physical violence (e.g. spanking, pushing, shoving) or psychological violence (e.g. humiliation, discrimination, ridicule), Staff are required to ensure the Child's safety and separate the Child from the person suspected of causing harm. The person intervening is required to terminate cooperation with the person who harmed the Child;
 - 4) other disturbing behaviour (e.g. shouting, inappropriate comments), Staff are required to ensure the Child's safety and separate the Child from the person suspected of causing harm. The person intervening is required to conduct a disciplinary conversation and, if there is no improvement, terminate cooperation.
9. Where there is suspicion that a Child is being harmed, the Child and the person suspected of causing harm must not be allowed to leave the hotel.
10. In justified cases, a citizen's arrest may be made of the person suspected of causing harm. In such a situation, until the police arrive, the person should be supervised by two employees in a separate room away from the view of other Guests.
11. In every case, the Child's safety must be ensured. The Child should remain under the care of an employee until the police arrive.
12. Where there is reasonable suspicion that an offence has been committed involving the Child's contact with biological material from the perpetrator (semen, saliva, epidermis), the Child should, where possible, not be allowed to wash or eat/drink until the police arrive.
13. After the Child has been taken into police custody, CCTV footage and other relevant evidence (e.g. documents) concerning the incident should be secured and, at the request of the authorities, copies should be provided to the prosecutor or police by registered mail or in person.
14. Staff and the person intervening are required to prepare an internal report describing the incident and the actions taken. The report may be in written or email form.
15. Following the intervention, the incident must be recorded in the register of incidents posing a threat to the welfare of a Child. The register is maintained by a person designated by the Hotel Director.

§ 6. Rules ensuring safe relationships between Staff and Children

1. The overriding principle governing all actions taken by Staff is to act for the good of the Child and in the Child's best interests.
2. Staff treat Children with respect and take their dignity and needs into account. Violence against a Child in any form is unacceptable. In pursuing these objectives, Staff act within applicable law, the organization's internal regulations and the scope of their authority.
3. Staff are required to maintain a professional relationship with Children and to consider in each case whether their response, communication or action towards a Child is appropriate to the situation, safe, justified and fair towards other Children.
4. A Child must not be embarrassed, humiliated, ignored or insulted. Staff must not shout at a Child except where this is necessary for the safety of the Child or other Children.
5. Sensitive information concerning a Child must not be disclosed to unauthorized persons, including other Children. This includes the Child's image and information about their family, economic, medical, care-related and legal

circumstances.

6. Staff are required to assure Children that if they feel uncomfortable in a particular situation or in response to specific behaviour or words, they may tell hotel Staff and may expect an appropriate response and/or assistance.

7. Children must not be offered alcohol, tobacco products or illegal substances, nor may such substances be used in the presence of Children.

8. Any act of violence against a Child is unacceptable.

9. Contact with Children should take place exclusively during working hours and should concern purposes falling within the scope of Staff duties. Staff must not invite Children to their homes or meet with them outside working hours. This also applies to contact with Children through private communication channels (private telephone, email, messaging applications and social media profiles).

§ 7. Final Provisions

2. The Hotel makes the full text of the Standards for the Protection of Minors available for review at the Hotel Reception.