

**STANDARDS FOR THE PROTECTION OF MINORS**  
**HOTEL SWING\*\*\*\***

[version valid from February 15<sup>th</sup>, 2024]

Pursuant to the decision of the Management Board of HOTEL Swing Sp. z o.o. with its registered office in Kraków of February 13<sup>th</sup>, 2024, this document comes into force and it is named "Child Protection Standards".

Legal Basis: art. art. 22c of the Act of May 13<sup>th</sup>, 2016 on *counteracting threats of sexual crime* (Journal of Laws of 2023, item 1304, as amended) – hereinafter referred to as the "**Act**".

All persons employed by the company – regardless of the basis of employment (employment contract, civil law contract, cooperation agreement, internship contract, etc.) – are obliged to apply the provisions of this document. The company has the right to demand from the above-mentioned persons to confirm in writing their commitment to apply the principles provided for in this document.

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Hotel Swing Sp. z o.o. – owner and operator of Hotel Swing in Kraków at Dobrego Pasterza street 124 (hereinafter referred to as the "**Company**" or "**Hotel**") conducts its business with respect for human rights, in particular the rights of children as persons who are particularly sensitive to harm. For the sake of the well-being of children, these rules have been prepared: "Child Protection Standards" with the following content:

**I. EXPLANATION OF CONCEPTS**

1. **Standards** – this document entitled: "Child Protection Standards".
2. **Child** – any person up to 18 years of age.
3. **Staff of Staff Member** – a person employed by the Company regardless of the basis of employment (employment contract, civil law contract, cooperation agreement, internship contract, etc.).
4. **Company Management Board** – person/persons who are currently members of the Company's Management Board.
5. **Facility** – Hotel Swing in Kraków at Dobrego Pasterza street 124.
6. **Child Abuse** – committing a crime to the detriment of a Child.
7. **Criminal Code** – Act of June 6<sup>th</sup>, 1997, Criminal Code (consolidated text: Journal of Laws of 2022, item 1138, as amended).
8. **Crime to the detriment of a child** – all crimes that may be committed against adults may be committed to the detriment of children, and additionally crimes that may only be committed against children (e.g. sexual abuse under Article 200 of the Criminal Code). Due to the specificity of tourist facilities, where it is easy to obtain the possibility of isolation, the crimes that may most often occur there will be crimes against sexual freedom and decency, in particular rape (Article 197 of the Criminal Code), sexual abuse of insanity and helplessness (Article 198 of the Criminal Code), sexual exploitation of dependence or a critical situation (Article 199 of the Criminal Code), sexual exploitation of a person under 15 years of age (Article 200 of the Criminal Code), grooming (seduction of a minor by means of distance communication – Article 200a of the Criminal Code).
9. **Legal Guardian** – a parent or legal representative of the Child who is not a parent, appointed in accordance with applicable law.
10. **Stranger adult** – a person over 18 years of age who is not the Child's Legal Guardian.
11. **Intervention Card** – a document according to the template established by the Company's Management Board, prepared in each case of detection of Child Abuse. Appendix No 1.
12. **Intervention register** – a register kept by the Company's Management Board or by a person designated by the Company's Management Board according to the template established by the Company's Management Board, which documents cases of intervention in connection with the diagnosis of Child Abuse.

## II. GENERAL RULES

1. Each Hotel Guest, including a Child, should be treated with due respect and dignity. Any behavior that may violate the above rule is prohibited.
2. The Staff should react in the event of Child Abuse or when there is a reasonable suspicion that Child Abuse is occurring.
3. One of the forms of effective prevention of child abuse is identification of the Child staying at the Facility and his relationship with the adult with whom he is staying at the Facility.
4. Every person, including a Child, has the right to report the suspicion or fact of Child Abuse to the Facility Staff and has the right to expect an appropriate response from the Staff.

## III. PROCEDURE IN CASE OF SUSPECTED CHILD ABUSE

1. Whenever possible, the Child and his relationship with the adult with whom he is staying at the Facility should be identified. Where necessary, reference should be made to the requirements of these Standards.
2. In unusual or suspicious situation indicating a possible risk of Child Abuse, identification is obligatorily carried out by a reception employee.
3. To identify the Child and his relationship with the person with whom he is staying at the Facility, you should:
  - 1) Ask about the Child's identity and the Child's relationship with the person with whom he or she came to the Facility or is staying there<sup>1</sup>. For this purpose, you may ask for the Child's identity document or another document confirming that an adult has the right to care for the Child at the Facility. A list of sample documents is provided in the footnote below. If you do not have an ID document, you can ask for the Child's data (name, surname, address, PESEL number).
  - 2) If there are no documents indicating the relationship between the Child and the adult, the adult **and the Child** should be asked about this relationship.
  - 3) If an adult is not the parent or legal guardian of the Child, ask whether he or she has a document confirming the parents' consent to the adult's joint trip with the Child (e.g. a written statement).
  - 4) If an adult does not have a parental consent document, please ask for the telephone number of the above-mentioned persons to call and confirm that the Child is staying at the Facility with a foreign adult with the knowledge and consent of the parents/legal guardians.
4. In the event of an adult's resistance to presenting the Child's document or indication the relationship, it should be explained that the procedure is intended to ensure the safety of Children using the Facility and has been developed in consultation with non-governmental organizations operating in this field.
5. Once the matter has been clarified in a positive manner, thank them for the time they have taken to ensure that the Child is well cared for and emphasize one again that the procedure is intended to ensure the Children's safety.
6. If the conversation does not dispel doubts regarding the suspicion of the adult and his intention to harm the Child, you should discreetly notify your supervisor and security staff (if they are at the Facility at that time).
7. From the moment the first doubts arose, both the child and the adult should be under constant observation of the Staff and not be left alone.
8. The supervisor who has been notified about the situation decides to notify the police or, in case of doubt, takes over the conversation with the suspected adult in order to obtain further explanations.
9. If the conversation confirmed the conviction or an attempt or commission of a crime to the detriment of the Child, the superior notifies the police of this fact. The procedure is further applied in the event of circumstances indicating harm to the Child.

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<sup>1</sup> (e.g. the Child's identity document indicating the relationship, civil status certificate, court decision, notarial consent of the parent for a given person to travel with the Child or consent signed by the Child's parent along with indication of the Child's data, address of residence, telephone contact to the parent and ID document number /PESEL number of the person to whom the parent entrusted the care of the Child).

10. If unusual or suspicious situations are witnessed by employees of other departments of the Hotel, e.g. housekeeping, room service, bar and restaurant employees, relaxation zone employees, security staff, etc., they should immediately notify their superior, who will decide to take appropriate action.
11. Depending on the situation and place, the superior verifies to what extent the suspicion of child abuse is justified. For this purpose, it selects appropriate measures to clarify the situation or decides to intervene and notifies the police.

#### **IV. PROCEDURE IN THE CASE OF CIRCUMSTANCES INDICATING ABUSE TO A CHILD**

1. If you have a reasonable suspicion that a Child staying at the facility is being harmed, you should immediately notify the police by calling 112 and describing the circumstances of the incident. Depending on the dynamics of the situation and circumstances, the call is made by a person who is a direct witness of the event (employee / supervisor). If the notifier is an employee, he or she also informs his or her superior about the event.
2. Reasonable suspicion of Child Abuse occurs when:
  - 1) The Child discloses the fact of Abuse to a Staff Member,
  - 2) A Staff Member observed Child Abuse,
  - 3) The child shows signs of abuse (e.g. scratches, bruises), and when asked, the Child answers incoherently or chaotically, or becomes embarrassed, or there are other circumstances that may indicate abuse, e.g. finding pornographic materials involving children in an adult's room.
3. In this situation, the Child and the person suspected of Child Abuse should be prevented from leaving the Facility.
4. In justified case, a citizen may arrest a suspected person. In such a situation, until the police arrive, the person should be kept under the supervision of two employees in a separate room away from the view of other guests.
5. In each case, ensure the safety of the Child. The Child should remain under the care of an employee until the police arrive.
6. In the event of a justified suspicion that a crime has been committed involving the Child's contact with the perpetrator's biological material (sperm, saliva, epidermis), if possible, the Child should not be allowed to wash or eat/drink until the police arrive.
7. After receiving the Child by the police, you should secure the monitoring material and other important evidence (e.g. documents) regarding the event and, at the request of the services, submit a copy of them by registered mail or in person to the prosecutor or the police.
8. Each Staff Member participating in the intervention prepares a memo describing the circumstances of the event.

#### **V. DOCUMENTATION AND CONFIDENTIALITY**

1. After the intervention is carried out in accordance with point IV above, the event should be described in the Intervention Card. Intervention Cards are collected in the Intervention Register kept by the Company.
2. Documentation regarding the intervention is kept in a manner that ensures confidentiality for a period no longer than required or in accordance with applicable law.
3. All person who, in connection with the performance of their official duties, received information about Child abuse or information related to it, are obliged to keep this information secret, with the exception of information provided to authorized employees of the Company and authorized institutions as part of intervention activities.

#### **VI. STAFF**

1. These Standards are implemented by familiarizing all currently employed Staff Members with the content of these Standards. Responsible for the implementation of the above-mentioned obligation is the Company's Management Board or a person designated by the Company's Management Board.

2. Each newly employed Staff Member should be informed about these Standards before commencing their duties and is obliged to become familiar with them.
3. The Management Board may also undertake other types of training, instruction and information activities addressed to Staff Members.
4. If a Hotel Staff Member is employed for work related to education, recreation or childcare, such a person must be checked in the Register of Sexual Offence Perpetrators. The check should be repeated every year. Above Staff Members should also be required to provide an appropriate certificate of good conduct from the National Criminal Register, in accordance with the requirements of the Act.
5. All Staff Members employed to work with children, including persons who may have potential contact with children, should submit a declaration of no criminal record and no pending proceedings for acts against children.

#### **VII. RULES FOR REVIEWING AND UPDATING STANDARDS**

1. These Standards are subject to periodic inspection, evaluation and updating by the Company's Management Board with the participation of competent persons at least once every two years.
2. The above activities are aimed at adopting the Standards to current needs and compliance with applicable regulations.

#### **VIII. RULES AND STANDARD SHARING METHOD**

1. The Company publishes the full text of the Standards on its website [www.hotelswing.pl](http://www.hotelswing.pl) as well as in a visible place on the premises of the Facility.
2. The Company publishes a shortened text of the Standards containing information important for Children on its website [www.hotelswing.pl](http://www.hotelswing.pl) as well as in a visible place on the premises of the Facility.