



**THE STANDARDS OF
PROTECTION OF MINORS**
**Policy for the protection of
Children against abuse**
In KIDS&Co. kindergartens and nurseries

Warsaw, 2024



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Legal acts on which the Standards for the Protection of Minors are based:

- 1) The Act of 13 May 2016 on Counteracting the Threat of Sexual Offences (i.e. Journal of Laws of 2023, item 1304, as amended);
- 2) Act of 28 July 2023 amending the Family and Guardianship Code and certain other acts (i.e. Journal of Laws of 2023, item 1606, as amended);
- 3) Act of 29 July 2005 on Counteracting Domestic Violence (i.e. Journal of Laws of 2021, item 1249, as amended);
- 4) Act of 6 June 1997 – Penal Code (i.e. Journal of Laws of 2022, item 1138, as amended);
- 5) Act of 23 April 1964 – Civil Code (i.e. Journal of Laws of 2023, item 1610, as amended);
- 6) Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989 (i.e. Journal of Laws of 1991 No. 120 item 526 as amended);
- 7) Regulation of the Council of Ministers of 6 September 2023 on the "Blue Card" procedure and "Blue Card" forms (i.e. Journal of Laws of 2023, item 1870, as amended);
- 8) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Official Journal of the European Parliament and of the Council of 27 April 2016, p. UE L 119/1 of 04.05.2016).



CHAPTER 1 BASIC TERMS

§ 1.

Whenever these Standards refer without further specification to:

- 1) **Institution, Kindergarten, Nursery** – it should be understood as
- 2) **Kindergarten or Nursery Headmaster** – it should be understood as the Headmaster of the Institution;
- 3) **Employee of the Kindergarten, Nursery** – it should be understood as a person employed on the basis of an employment contract, contract for specific work, contract of mandate, persons performing tasks commissioned on the premises of the Kindergarten, Nursery under separate regulations (e.g. nurse, hygienist, photographer and other persons), volunteer work contract in the Facility;
- 4) **Pupil / Child** – it should be understood as any minor attending the Kindergarten, Nursery or staying in the Kindergarten or Nursery;
- 5) **Minors** – it should be understood as a minor;
- 6) **Statutory representative** – it should be understood as a parent or other person with full parental authority or legal guardian (a person representing the Minor, appointed by the court, in a situation where the parents do not have parental authority or when the parents are deceased);
- 7) **Actual Guardian** – it should be understood as a person who is not a statutory representative, having custody of the Minor;
- 8) **Consent of the Statutory Representative / Consent of the Actual Guardian** – it should be understood as the consent of at least one of the Statutory Representatives or Actual Guardians. In the event of disagreement between the Minor's Statutory Representatives or Actual Guardians, they must be informed of the need to resolve the case by the Family Court, whose decision supersedes the Consent of the Statutory Representative;
- 9) **Violence / Abuse** – it should be understood as committing a prohibited act or a punishable act to the detriment of a Minor by any person, including an Employee of a Kindergarten or Nursery or a threat to the Minor's welfare, including neglecting the Minor. Harm is in particular:
 - a) **Physical violence** – this is intentional bodily harm, inflicting pain or threat of bodily harm. The result of physical violence may include fractures, bruises, cuts, burns, internal injuries. Physical violence causes or may cause loss of health or threaten life;
 - b) **Emotional abuse** – is repeated humiliation, humiliation and ridicule of the minor, constant criticism, involving the minor in the conflict of adults, manipulating him, lack of appropriate support, setting requirements and expectations for the minor that he or she is not able to meet;
 - c) **Sexual violence** – is the involvement of a minor in sexual activity by an adult. Sexual abuse refers to behaviours related to physical contact (e.g. touching a Minor, sexual intercourse with a Minor) and behaviour without signs of physical contact (e.g. showing pornographic materials to a Minor, voyeurism, exhibitionism);



- d) **Economic violence** – is the failure to provide the Minor, within the means available to the Statutory Representatives or Actual Guardians, with appropriate conditions for development, including, among others, not providing adequate nutrition, clothing, educational needs or shelter. Economic violence is one form of Neglecting;
- e) **Neglect** – is the failure to meet the basic material and emotional needs of the Minor by the Statutory Representatives or Actual Guardians, including, e. g., economic violence, failure to ensure the Minor's safety, lack of supervision over the fulfillment of the Minor's compulsory education, lack of interest in the Minor's health;
- 10) **Student's personal data** – it should be understood as any information enabling the identification of the Student;
- 11) **Person responsible for the Standards of Protection of Minors** – it should be understood as an employee appointed by the Headmaster of the Kindergarten or Nursery supervising the implementation of these Standards.

CHAPTER 2 RULES FOR ENSURING SAFE RELATIONS BETWEEN THE PUPIL AND NURSERY/ KINDERGARTEN STAFF

§ 2.

1. Principles of safe recruitment of employees:

1. The Headmaster of a Kindergarten/Nursery, before establishing an employment relationship with a candidate or before allowing a candidate to engage in other activities related to upbringing, educating, organising leisure time or treatment for Pupils or taking care of them, is obliged to obtain information about a given candidate (in person or oblige the candidate to provide documents) from *the National Criminal Register, the Register of Sexual Offenders and the Central Register of Disciplinary Decisions* (hereinafter referred to as the "Registers").
2. The Headmaster of a Kindergarten/Nursery obtains information from the Registers in person via ICT systems maintained by the Minister of Justice.
3. Feedback received from the Registers is printed and submitted by the Headmaster of a Kindergarten/Nursery to part A of the Employee's personal files related to the establishment of the employment relationship. If the person is not in the Registers – such information is also attached to the above-mentioned files.
4. The candidate must provide the Headmaster of a Kindergarten/Nursery with information on no criminal record from the National Criminal Register, in the scope of offences specified in Chapters XIX and XXV of the Penal Code, in Articles 189a and 207 of the Penal Code and in the Act of 29 July 2005 on Counteracting Drug Addiction (Journal of Laws of 2023, item 172 and of 2022, item 2600), or for corresponding offences specified in the provisions of foreign law.
5. If the candidate has citizenship other than Polish, then he or she should submit to the Headmaster of a Kindergarten/Nursery information from criminal records of the country of



which he or she is a citizen, obtained for the purposes of professional or voluntary activities related to contacts with children.

6. If the candidate has resided in the last 20 years in other countries of which he/she is not a citizen, then he/she should submit to the Headmaster of a Kindergarten/Nursery: a statement on the country/countries (other than the Republic of Poland) in which he/she has resided in the last 20 years and information from criminal records of these countries, obtained for the purposes of professional or voluntary activity related to contact with children, under pain of criminal liability.
 7. If the law of the country from which the information on the lack of criminal record for prohibited acts corresponding to the offences specified in Chapters XIX and XXV of the Criminal Code, in Articles 189a and 207 of the Criminal Code and in the Act of 29 July 2005 on Counteracting Drug Addiction is to be submitted, does not provide for the issuance of such information or does not keep a criminal record, then the candidate submits, under pain of criminal liability, a statement about this fact together with a statement that he has not been legally convicted and no other ruling has been issued against him, in which it was stated that he has committed prohibited acts corresponding to the offences specified in Chapters XIX and XXV of the Penal Code, in Article 189a and Article 207 of the Penal Code and in the Act of 29 July 2005 on Counteracting Drug Addiction, and that there is no obligation under a court decision, other authorized body or law to comply with the prohibition to hold any or specific positions, perform any or specific professions or activities related to upbringing, education, leisure, treatment, provision of psychological counseling, spiritual development, sports or other interests by Minors, or care for them.
2. A template of the declaration of no criminal record and of pending preparatory, court and disciplinary proceedings is attached **as Appendix 1** to these Standards.

§ 3.

1. Principles of safe relations between the Kindergarten Employees and its Students:
 - 1) Any use of physical force against the Child, except for situations dictated by the protection of life, health of the Child and other persons (other Minors, Employees) or the protection of other legally protected interest, is unacceptable.
 - 2) Physical contact with the Child (meeting the principles of safe contact) may be appropriate by Employees, in particular in situations where such contact is a response to the Child's needs at a given time and takes into account the Child's age, developmental stage, gender, cultural and situational context.
 - 3) In situations requiring care and hygiene activities for the Child, physical contact with the Child other than necessary should be avoided. This is especially true for helping your child getting dressed and undressed, eat, wash, change diapers and use the toilet.
 - 4) The basic principle of all activities undertaken by the Kindergarten and Nursery Staff is to act for the good of the Student and in their interest. Employees treat the Student with respect, taking into account their dignity and needs.



- 5) The principles of safe relations between Kindergarten and Nursery Employees and Students apply to all Employees.
 - 6) Knowledge and acceptance of the rules resulting from the Standards is confirmed by the Employee by signing a statement, the template of which is attached as **Appendix No. 2** to these Standards.
2. An employee of the Nursery School or Nursery is obliged to maintain a professional relationship with the Pupils and each time consider whether their reaction, message or action towards the Pupil is appropriate to the situation, safe, justified and fair towards other Pupils.
 3. An employee of the Kindergarten or Nursery in contact with the Students:
 - 1) remains patient and respectful towards children;
 - 2) listens carefully to the Students and tries to give them an answer appropriate to the situation and their age;
 - 3) does not embarrass the Students, does not disrespect, humiliate or offend them;
 - 4) does not yell at the Students, unless a dangerous situation (e.g. a warning) requires it;
 - 5) does not disclose sensitive information about Students to unauthorized persons, this also applies to the disclosure of the Students' image.
 4. When making decisions concerning the Student, the Employee takes into account the expectations of the Student, while taking into account the safety and needs of other Students.
 5. If it is necessary to talk to the Student in private, the Employee should leave the door ajar or ask another Employee to participate in the conversation. The above rule does not apply to special employees of the Kindergarten or Nursery, including, among others: pedagogues, special educators, psychologists, and therapists. In the case of individual classes or meetings that do not result from the schedule of specialist classes, other Employees should be informed about them.
 6. An employee of the Kindergarten or Nursery is not allowed to make inappropriate jokes, use vulgarisms, make offensive gestures, or utter sexual content in the presence of Students.
 7. An employee of the Kindergarten or Nursery is not allowed to use physical advantage or use threats.
 8. An employee of a Kindergarten or Nursery is obliged to treat Pupils equally, regardless of their gender, sexual orientation, religion, ethnic origin or disability, etc.
 9. An employee of a Kindergarten or Nursery is obliged to keep confidential information obtained during work, in particular: health, developmental and educational needs, psychophysical abilities, sexuality, sexual orientation, racial or ethnic origin, political views, religious beliefs or beliefs of Students.
 10. An employee of the Kindergarten or Nursery may not record the image of the Pupils for private or professional purposes if the Guardian of the Pupil has not consented to such recording.
 11. The Employee is prohibited from accepting gifts from Students and their Guardians. An exception to this rule are small, occasional gifts related to holidays in the school year, e.g. contribution gifts, flowers, chocolates, etc.



12. Under no circumstances may the Employee invite the Pupils to the house.

§ 4.

An employee of a Kindergarten or Nursery, under the threat of punishment (including imprisonment and loss of job), is absolutely prohibited from:

- 1) establish a sexual relationship with the Student;
- 2) make sexual and pornographic proposals to the Student, including sharing such content;
- 3) offer energy drinks, alcohol, tobacco products and other stimulants (drugs, including designer drugs) to students;
- 4) use alcohol, tobacco products and other illegal substances in the presence of the Children.

§ 5.

1. The employee is obliged to provide the Students with appropriate assistance in situations that cause discomfort in the Students, in accordance with the Standards.
2. Educators who are Employees of a given Institution are obliged to present, in a manner appropriate to the age group and level of development of the Children, the Standards of Protection of Minors that are in force in the Kindergarten or Nursery and to assure them that they will receive appropriate help if necessary.
3. If you notice any disturbing behaviour or situation, you must act in accordance with the Standards. In the event of a suspicion of non-compliance with these Standards by an Employee, the Headmaster of the Kindergarten or Nursery should be obligatorily informed (e.g. infatuation of a Student with an Employee or an Employee with a Student). In the event of a suspicion of non-compliance with these Standards by the Director of the Nursery School, the Nursery should be obligatorily informed to the body managing the Nursery School.

§ 6.

1. Any behaviour that bears the hallmarks of Violence towards the Student is not allowed.
2. Physical violence may not be used against the Student, in particular: pushing, hitting or poking.
3. The Employee must not touch the Student in a way that could be misinterpreted. If, in the opinion of the Employee, the Student needs, for example, a hug, he or she should be able to justify his or her behavior towards the Student in the situation each time.
4. Physical contact with the Student must never be secret or concealed, involve any gratification or result from a power relationship.
5. The employee should not engage in games such as: tickling, pretend fights, brutal physical games, etc.
6. An employee who is aware that a Student has suffered some harm, e.g. physical abuse or sexual abuse, is obliged to exercise special caution in contacts with the Student, showing understanding and sensitivity.



§ 7.

1. As a rule, contacts between Employees and Students should take place only during working hours and involve educational purposes.
2. If there is a need for contact outside working hours, the appropriate form of communication with Students and their statutory representatives or actual Guardians are only business channels (business e-mail, business phone, company communicators). Employees are prohibited from contacting the Child from a private e-mail and telephone number, as well as encouraging the Child to contact in person outside the Facility.
3. If the Pupils or their Statutory Representatives or Actual Guardians are persons close to the Employee, the Employee's maintenance of social or family relations with these persons requires the Employee to maintain the confidentiality of all information concerning other Pupils and their Statutory Representatives and Actual Guardians.

CHAPTER 3

RECOGNIZING AND RESPONDING TO RISK FACTORS FOR STUDENT ABUSE

§ 8.

1. Employees of the Kindergarten and Nursery have knowledge of how to proceed in cases of suspected Child Abuse and, as part of their duties, pay attention to risk factors of Child Abuse, such as:
 - 1) The student is often dirty, smells unpleasant;
 - 2) The student does not receive the necessary medical care, vaccinations, glasses, etc.;
 - 3) The student does not have clothing and shoes relevant to the weather conditions;
 - 4) The student has visible injuries (bruises, bites, wounds), the origin of which is difficult to explain or are in various stages of healing;
 - 5) the Student's explanations for injuries seem unreliable, impossible, inconsistent, etc., or the Student changes them frequently;
 - 6) the Student is reluctant to physical activity – the Student covers the body excessively, inappropriately to the situation and weather;
 - 7) The student is afraid of the Statutory Representative or the Actual Guardian, is afraid of returning home;
 - 8) The student flinches when approached by an adult;
 - 9) The student suffers from recurring somatic complaints: abdominal pain, headaches, nausea, etc.;



- 10) The student is passive, withdrawn, submissive, scared, depressed, etc. or behaves aggressively, rebels, self-harms, etc.;
 - 11) The student achieves worse results in learning in relation to his or her abilities;
 - 12) The student escapes into the virtual world (computer games, the Internet);
 - 13) The student excessively seeks contact with an adult (the so-called "stickiness" of the Minor);
 - 14) in artistic works, conversations, and behavior of the Student, sexual elements/motifs begin to dominate;
 - 15) The student is sexually aroused inappropriately for the situation and age;
 - 16) there was a sudden and clear change in the Student's behavior;
 - 17) The student talks about violence.
2. If the Pupil's symptoms are accompanied by certain behaviours of his/her Statutory Representatives or Actual Guardians, the suspicion that the Pupil is being harmed may be particularly justified. Disturbing behaviours of Statutory Representatives or Actual Guardians include:
- 1) The Statutory Representative/Actual Guardian provides inconsistent or contradictory information about the causes of the Student's injuries or refuses to explain this matter;
 - 2) The statutory representative / actual guardian refuses or does not maintain contact with persons interested in the fate of the Student, including the Employees of the Kindergarten or Nursery;
 - 3) The statutory representative / actual guardian speaks about the Minor in a negative way, constantly blames, humiliates or reprimands the Student (e.g. using terms such as "idiot", "shithead");
 - 4) The Statutory Representative/Actual guardian subjects the Minor to strict discipline, is overprotective, overlenient, or rejects the Minor;
 - 5) The statutory representative / actual guardian is not interested in the fate and problems of the minor;
 - 6) The legal representative / actual guardian is often unable to provide the place where the Minor is currently staying;
 - 7) The statutory representative /actual guardian is apathetic, depressed;
 - 8) The statutory representative / actual guardian behaves aggressively;
 - 9) The statutory representative / actual guardian has a disturbed contact with reality, e.g. reacts inadequately to the situation;
 - 10) The statutory representative / actual guardian speaks inconsistently, does not answer the Employees' questions, presents contradictory information to the Employees;
 - 11) The statutory representative / actual guardian is not aware of the needs of the Minor or negates them;
 - 12) The legal representative / Actual guardian favours one of the siblings;



- 13) The Statutory Representative/Actual Guardian exceeds the permissible limits in physical or verbal contact with the Minor, Employee, or third parties;
- 14) The statutory representative / actual guardian abuses alcohol, drugs or other intoxicants, tries to pick up the Minor from the Facility in a state indicating the consumption of alcohol or other substances with an effect similar to alcohol;
3. If risk factors are identified, the Employees of the Nursery School or Nursery start a conversation with the Statutory Representatives or Actual Guardians, providing information on the available support offer and motivate them to seek appropriate help.
4. Employees of the Kindergarten and Nursery monitor the situation and well-being of the Student.

CHAPTER 4

INTERVENTION PROCEDURES IN THE EVENT OF A THREAT TO THE CHILD'S SAFETY

§ 9.

1. The Kindergarten and Nursery conducts regular (at least once a year) classes for children on safe relationships with other people, including adults, and the need to report anything that worries them to adults.
2. A threat to the safety of a child can take many forms, not only those related to physical violence.
3. For the purposes of this document, the following classification of a threat to the safety of Children has been adopted:
 - a. a crime to the detriment of the Child has been committed (e.g. sexual abuse, abuse of the Child);
 - b. there has been another form of Abuse that is not a crime (e.g. shouting, physical punishment, humiliation);
 - c. there was neglect of the children's life needs (e.g. related to nutrition, hygiene or health).
4. For the purposes of this document, the procedures of intervention in the event of suspected action to the detriment of the child by:
 - a. Employee;
 - b. Other third party;
 - c. Statutory representatives or actual Guardians;
 - d. Another child.



§ 10.

1. If an Employee has a suspicion of Minor Abuse he or she is obliged to prepare a memo and provide the information obtained to the Headmaster of the Facility. The note can be in writing or by e-mail. For evidentiary purposes, a note should not be given only orally or by telephone.
2. The intervention is conducted by the Headmaster of a Kindergarten/Nursery, who may appoint a third party of his choice (e.g. a psychologist cooperating with the Facility) for this task on a permanent basis. If such a person is appointed, his/her data (name, surname, e-mail, telephone number) will be communicated to the Employees in writing or by e-mail.
3. If the Abuse of a Minor has been reported by a third party designated to conduct the intervention, then the intervention is carried out by the Headmaster of a Kindergarten/Nursery or another third party designated by him.
4. If Minor Abuse has been reported by the Headmaster of a Kindergarten/Nursery, then the actions described in this chapter are taken by the person who noticed the Minor Abuse or to whom the suspicion of Minor Abuse was reported.
5. The person conducting the intervention may invite specialists, in particular psychologists and pedagogues, to participate in the intervention in order to use their help in talking to the child about difficult experiences.

§ 11.

In the event of a suspicion that the child's life is in danger or is threatened with serious damage to health, the appropriate services (police, ambulance) should be immediately informed by calling 997 (police), 998 (ambulance) or 112 (general emergency number). The services are informed by the Employee who first received information about the threat and then fills in the intervention card.

§ 12.

1. An intervention card is drawn up from the course of each intervention, the template of which is attached as **Appendix 3** to these Standards. The card is attached to the child's personal file.
2. All Employees of the Kindergarten, Nursery and other persons who, in connection with the performance of their professional duties, have received information about Abuse of a Minor or information related to it, are obliged to keep this information confidential. Confidentiality does not apply to information provided to authorized institutions as part of intervention activities.



3. If the suspicion of a threat to the safety of the Child has been reported by the Child's Statutory Representatives or Actual Guardians, and the suspicion has not been confirmed, the Child's Statutory Representatives or Actual Guardians should be informed of this fact in writing.

Abuse of a Minor by an Employee

§ 13.

1. If Child Abuse of a Minor by a Kindergarten or Nursery Employee is reported, the Employee is immediately removed from any form of contact with Children (not only the Child Victim) until the matter is clarified.
2. The Headmaster of a Kindergarten/Nursery interviews the Child and other persons who have or may have knowledge of the incident and the personal (family, health) situation of the Child, in particular his/her actual Guardians or Statutory Representatives. The Headmaster of a Kindergarten/Nursery is trying to determine the course of the event, but also the possible impact of the event on the child's mental and physical health. The findings are written down on the intervention card constituting **Appendix 3** to these Standards.
3. The Headmaster of a Kindergarten/Nursery organises a meeting(s) with the Child's Statutory Representatives or his/her actual Guardians, to whom he/she provides information about the incident and the need/possibility to use specialist support, including from other organisations or services.
4. If a crime has been committed against the Child, the Headmaster of a Kindergarten/Nursery prepares a notification of the possibility of committing a crime and forwards it to the locally competent police or prosecutor's office. The template of the notification is attached as **Appendix No. 4** to these Standards.
5. In the event that the Employee has committed a form of Abuse against the Child other than committing a crime to the Child's detriment, the Headmaster of a Kindergarten/Nursery should examine all the circumstances of the case, in particular listen to the Employee suspected of Harming the Minor, the Child and other witnesses to the incident. In a situation where the violation of the Child's welfare is significant, in particular when there has been discrimination or violation of the Child's dignity, the contractual relationship with him/her should be terminated after proving the Employee's fault or such termination should be recommended to the Employee's employer. If the Employee who has committed Abuse of a Minor is not directly employed by the Kindergarten or Nursery but by a third party, then the Employee's access to the premises of the Kindergarten or Nursery should be prohibited or, if necessary, the contract with the cooperating institution should be terminated.



6. In the event of a justified but unconfirmed suspicion of Child Abuse by an Employee, the Headmaster of a Kindergarten/Nursery should consider terminating the contractual relationship with the employee or recommending such termination to his/her employer, as well as consider establishing a ban on the entry of such an Employee to the premises of the Kindergarten or Nursery.

Harm by third parties

§ 14.

1. If the Abuse of a Minor is reported by a third party (a stranger or a relative), the Headmaster of a Kindergarten/Nursery conducts an interview with the Child and other persons who have or may have knowledge about the incident and the personal (family, health) situation of the Child, in particular with his/her actual Guardians or Statutory Representatives. The Headmaster of a Kindergarten/Nursery is trying to determine the course of the incident, but also the impact of the event on the mental and physical health of the Child. The findings are written down on the intervention card, which is Appendix 3 to these Standards.
2. The Headmaster of a Kindergarten/Nursery organises a meeting(s) with the actual Guardians or Statutory Representatives of the Child, to whom he or she provides information about the event and the need/possibility of using specialist support, including from other organisations or services.
3. In the event of a suspicion of committing a crime against a minor, the Headmaster of a Kindergarten/Nursery prepares a notification of the possibility of committing a crime and forwards it to the locally competent police or prosecutor's office. The template of the notification is attached as Appendix No. 4 to these Standards.
4. If the conversation with the actual Guardians or the Child's Statutory Representatives shows that they are not interested in helping the Child, ignore the event or otherwise do not support the Child who has experienced Abuse, the Headmaster of a Kindergarten/Nursery prepares an application for insight into the family's situation, which is submitted to the competent Family Court. The template of the application is attached as Appendix No. 5 to these Standards.
5. The further course of proceedings is within the competence of the institutions referred to in the preceding paragraphs of this paragraph.

Harm from Statutory Representatives or Actual Guardians

§ 15.



1. If Abuse of a Minor has been reported by statutory representatives or actual guardians, the Headmaster of a Kindergarten/Nursery conducts an interview with the Child and other persons who have or may have knowledge about the event and the personal (family, health) situation of the Child. The Headmaster of a Kindergarten/Nursery is trying to determine the course of the incident, but also the impact of the event on the mental and physical health of the Child. The findings are written down on the intervention card constituting **Appendix 3** to these Standards.
2. If it is probable that a crime has been committed against the Child, the Headmaster of a Kindergarten/Nursery prepares a notification of the possibility of committing a crime and forwards it to the locally competent police or prosecutor's office. A template of the notification can be found in **Appendix No. 4** to these Standards.
3. If the conversation with the actual Guardians or Statutory Representatives shows that they are not interested in helping the Child, ignore the event or otherwise do not support the Child who has experienced Abuse, the Headmaster of a Kindergarten/Nursery prepares an application for insight into the family's situation, which is submitted to the competent Family Court. The template of the application is attached **as Appendix No. 5** to these Standards.
4. If the findings show that the actual guardian or the statutory representative of the child neglects the child's psychophysical needs or the family is educationally inefficient (e.g. the child walks in clothes inappropriate for the weather, leaves the place of residence without adult supervision, etc.), the family uses violence against the child (statutory representative, the actual guardian or another member of the household shouts at the Child, uses spanking or similar types of physical punishment), the competent social welfare centre should be informed about the need to help the family.
5. In the event that the Child's needs are not met due to poverty, Violence or Neglect, the Blue Card procedure should be initiated. The required documents are attached **as Appendix 6** to these Standards.

Peer abuse

§ 16.

1. In the event of suspicion of Abuse of a Minor by another Child staying in the Kindergarten or Nursery (e.g. during group classes), a conversation should be conducted with the Child suspected of Abuse and his/her actual Guardians or Statutory Representatives, as well as separately with the Child being Subjected to Abuse and his/her actual Guardians or Statutory



Representatives. In addition, you should talk to other people who have or may have knowledge of the incident. During the talks, it is necessary to try to determine the course of the incident, as well as the impact of the event on the mental and physical health of the abused child. The findings should be written down on the intervention sheet constituting **Appendix 3** to these Standards. Separate intervention cards are prepared for the abusing child and the abused child.

2. Together with the statutory representatives or actual guardians of the abusing child, a remedial plan should be developed in order to change undesirable behaviours.
3. A plan should be developed with the Statutory Representatives or Actual Guardians of the Child being Abused to ensure his/her safety, including ways to isolate the child from sources of danger.
4. During the interviews, it should be ensured that the Child suspected of Harming another Child is not harmed by the Statutory Representatives or Actual Guardians, other adults or other Children. If this is confirmed, the procedure set out in §15 or §14 of these Standards shall apply.
5. If the abusing Child does not attend the Kindergarten or Nursery, the Child undergoing Abuse should be interviewed, other persons who have or may have knowledge of the incident, as well as the Statutory Representatives or Actual Guardians of the abused Child, in order to determine the course of the incident, as well as the impact of the event on the mental and physical health of the Child. The Headmaster of a Kindergarten/Nursery organises a meeting(s) with the actual Guardians or Statutory Representatives of the Child, to whom he or she provides information about the incident and the need/possibility of using specialist support, including from other organisations or services, and about the methods of responding to the event.
6. If the person suspected of Child Abuse is a Minor aged 13 to 17 and his/her behaviour constitutes a criminal offence, the Child Abuse should also be reported to the locally competent Family Court or the police by means of a written notification.
7. If the person suspected of Child Abuse is a Minor over 17 years of age and his/her behaviour constitutes a crime, then the locally competent police or prosecutor's office unit should be informed about the Child Abuse by means of a written notification.



CHAPTER 5

RULES FOR THE PROTECTION OF PERSONAL DATA OF A MINOR

§ 17.

The Nursery School or Nursery, respecting the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Journal of Laws of the Republic of Poland). EU L 119/1 of 04.05.2016) (hereinafter: "**GDPR**") and national laws and guidelines of the supervisory authority, conducts its statutory activities with particular emphasis on the protection of personal data of Minors and their Guardians/Statutory Representatives.

In accordance with Articles 13 and 14 of the GDPR, we inform you about the method of processing personal data in order to perform statutory tasks and activities in the field of promotion of the Facility, therefore we indicate that:

1. Chłodna 51, 00-867 Warsaw (hereinafter referred to as the "Administrator") is the Data Administrator.
2. In matters related to the processing of personal data by the Administrator, you can contact the data protection officer appointed by the Administrator using the above data or at the following e-mail address: ochronadanychosobowych@kids-co.pl.
3. Personal data is processed by the Administrator for the following purposes and on the basis of the indicated legal bases:
 - a. for the purposes of recruitment to the Kindergarten or Nursery, pursuant to Article 6(1)(b) of the GDPR;
 - b. in order to perform educational and other tasks resulting from the statute and legal provisions, pursuant to Article 6(1)(c) of the GDPR, and in the scope of special category personal data – pursuant to Article 9(2)(g) of the GDPR;
 - c. in order to ensure the safety of property and Minors, Employees and other persons staying on the premises of the Kindergarten or Nursery, which is a legal obligation of the Administrator, pursuant to Article 6(1)(c) of the GDPR;
 - d. for the purpose of conducting communication, which is the legitimate interest of the Administrator, pursuant to Article 6(1)(f) of the GDPR;
 - e. for the purpose of promoting the Kindergarten or Nursery, on the basis of the consent granted – Article 6(1)(a) of the GDPR.
4. The recipients of personal data may only be entities that are entitled to receive them under the law (for example: the body managing the Kindergarten or Nursery) and providing services to the Kindergarten or Nursery, such as: provider of hosting services, e-mail and IT systems



(including video monitoring systems). Personal data is made available to recipients only when it is permitted by the provisions of law and to the extent specified in these regulations.

5. Your personal data is, as a rule, processed for the period necessary to achieve the purposes of processing – i.e. for the period of attendance at the Kindergarten or Nursery and the period of archiving documents, in accordance with the uniform material list of files. What is more, if the basis for the processing of personal data is the legitimate interest of the Administrator, the personal data is processed until the objection is raised (the Administrator will delete the personal data if the objection is considered justified).
6. In the case of processing personal data on the basis of the consent granted, personal data will be processed until the consent is withdrawn, but without affecting the lawfulness of the processing that was carried out in the period prior to the withdrawal of consent.
7. Persons whose data are processed have the right, to the extent specified in the GDPR, to: request access to their personal data, as well as rectify (correct) them; request the erasure of your personal data or restriction of processing; object to the processing; withdraw consent to the processing of personal data, but without affecting the lawfulness of the processing of personal data carried out in the period prior to the withdrawal of consent.
8. If it is found that personal data is processed unlawfully, the person whose personal data is processed has the right to lodge a complaint with the supervisory authority, which is the President of the Office for Personal Data Protection (address: 2 Stawki Street, 00-193 Warsaw; kancelaria@uodo.gov.pl).
9. Providing personal data to the extent necessary to conduct recruitment is a contractual condition, and to the extent covered by law - it is obligatory, and failure to provide them may result in the inability to achieve the objectives set out above. With regard to personal data processed on the basis of consent – their provision is voluntary, and refusal to provide them does not result in negative consequences.
10. Decisions will not be made on the basis of personal data in an automated manner, and personal data will not be subject to profiling.
11. The Controller does not intend to transfer personal data to third countries or international organisations, except for the situation where the Controller co-controls personal data with Meta Platforms Ireland Limited. If you use the Facebook platform (for the purpose of promoting the Kindergarten or Nursery), your personal data may be transferred to Meta Platforms Ireland Limited, which may process your personal data based on different principles, but – in the case of transferring personal data to third countries – using standard contractual clauses (https://www.facebook.com/help/566994660333381/?helpref=uf_share&cms_id=566994660333381).
12. In situations related to the processing of personal data by Meta Platforms Ireland Limited and the Controller for the purposes of statistical data (creation of statistical events and their aggregate analysis), the Controller and Meta Platforms Ireland Limited act as joint controllers



of personal data on the terms available at:
https://www.facebook.com/legal/terms/page_controller_addendum.

§ 18.

An employee of the Kindergarten or Nursery may use information about the Student for training or educational purposes only with the Student's anonymity and in a way that prevents the identification of the Student. Such use of information requires the prior consent of the Headmaster of a Kindergarten/Nursery and agreement on the scope of information and methods of data anonymization.

§ 19.

1. An employee of the Kindergarten or Nursery does not provide media representatives with information about the Minor or his/her Statutory Representative or Actual Guardian.
2. In exceptional and justified situations, an employee of the Kindergarten or Nursery may contact the Statutory Representative/ the Actual Guardian of the Minor and ask for permission to provide his/her contact details to the media representatives. If the consent is given, the Kindergarten or Nursery Employee provides the media representative with the contact details of the Minor's Statutory Representative or Actual Guardian. The consent should be given in writing, for evidentiary purposes.
3. An employee of the Kindergarten or Nursery does not contact the media representatives with the Minor, does not express his/her opinion in contact with the media representatives about the case of the Minor or his/her Statutory Representative/ the actual Guardian. This prohibition also applies to situations where an employee of a Kindergarten or Nursery is convinced that his or her statement is not recorded in any way.

§ 20.

1. In order to produce media material, selected rooms of the Kindergarten or Nursery can be made available to the media. The decision on making the room available is made by the Headmaster of a Kindergarten/Nursery.
2. The Headmaster of a Kindergarten/Nursery, making the decision referred to in paragraph 1, instructs the designated Employee to prepare a selected room for the purpose of producing media material in such a way as to prevent filming of the Pupils staying on the premises of the Kindergarten or Nursery.

CHAPTER 6 PRINCIPLES OF PROTECTION OF THE STUDENT'S IMAGE

§ 21.

The employees of the Kindergarten and Nursery, recognizing the Student's right to privacy and protection of personal rights, ensure the protection of the Student's image.

§ 22.



1. An employee of the Kindergarten or Nursery may not allow media representatives to record the image of the Student (i.e. filming, photographing) on the premises of the Kindergarten or Nursery without the written consent of the Statutory Representative or the Guardian of the Minor.
2. In order to obtain the consent of the Statutory Representative or the Actual Guardian of the Minor to record the image of the Student, the Kindergarten or Nursery Employee may contact the Statutory Representative or the Actual Guardian of the Minor and determine the procedure for obtaining consent.
3. It is unacceptable to provide the media representative with the contact details of the Minor's Statutory Representative or Actual Guardian without the knowledge and consent of the Statutory Representative or Guardian.
4. If the image of the Minor is only a detail of a public whole, such as a gathering, landscape, public event, the consent of the Statutory Representatives or Actual Guardians to record the image of the Minor is not required.

§ 23.

1. Publication by an Employee of the Kindergarten or Nursery of the image of the Student recorded in any form (i.e. photograph, audio-video recording) requires the written consent of the Statutory Representative / Guardian of the actual Student. Consent should be retained for evidentiary purposes.
2. Before recording the image of a Minor, both the Student and the actual Guardian / Statutory Representative should be informed about where the registered image will be placed and in what context it will be used (e.g. that it will be placed on the www.youtube.pl website) for promotional purposes.

CHAPTER 7

RULES FOR THE USE OF ELECTRONIC DEVICES WITH ACCESS TO THE INTERNET. ONLINE SAFETY

§ 24.

1. The Kindergarten and Nursery do not provide students with access to the Internet.
2. Employees of the Kindergarten and Nursery should improve their qualifications and awareness of the use of cyber-secure solutions at work. Employees may be required by the Site to participate in mandatory training on the use of cybersecurity at the Site's expense.
3. Employees should pay special attention to the fact that their activity on the Internet can be recognized by Children and their Statutory Representatives or Actual Guardians, therefore they should responsibly manifest their involvement in specific topics, activities, problems or discussions on the Internet. The awareness that Pupils can also be observers or participants in



such activities, topics and discussions should lead the Employee to make an individual assessment of the correctness of their behaviour. Employees should be prudent and responsibly express their approval/disapproval on social media in relation to specific content, publications, pages, users, and should also be aware of the types and functionalities of specific applications, where the very fact of using them may be negatively evaluated by third parties.

4. It is not recommended to establish contacts with Children and their Statutory Representatives or Actual Guardians by accepting or sending invitations in social media using the private accounts of the Employees, except for the need to create a new group in social media for the Statutory Representatives or Actual Guardians of Children newly admitted to the Kindergarten or Nursery.
5. During classes with Children, Employees are obliged not to use private phones and other devices if there is a probability that they may interfere with the conduct of classes.

CHAPTER 8

RULES FOR ESTABLISHING A STUDENT SUPPORT PLAN AFTER THE ABUSE HAS BEEN REVEALED

§ 26.

1. At the same time, with the use of the intervention procedure, the Headmaster of a Kindergarten/Nursery creates a support group for the aggrieved Student.
2. The group each time consists of a tutor who is an employee of the Institution, a psychologist and/or a pedagogue.
3. The support group can be expanded by including more specialists, especially if the degree of harm suffered by the child is significant.
4. The support group meets to determine what help is necessary for the student.
5. The Support Group creates an individual action plan (hereinafter referred to as "IAP"), which is a document recorded and stored in the Student's file.
6. The IAP contains, first of all, information about the actions taken, a plan of meetings with specialists, actual Guardians, Statutory Representatives or Employees of the Kindergarten or Nursery and the estimated time for which a given support group was established.
7. Conclusions from meetings with a pedagogue or psychologist are sensitive data of the Students and are not attached to the IAP, except for a situation where the Student's life or health is at risk (e.g. about a planned suicide). A pedagogue or psychologist who keeps this type of documentation provides the Facility only with information that he or she considers necessary to protect the Child.



CHAPTER 9

PROCEDURES FOR ISSUING 'BLUE CARDS'

§ 27.

1. Domestic violence is a single or repeated intentional act or omission violating the rights or personal rights of family members, as well as other persons living or managing together, in particular exposing these persons to the risk of loss of life, health, violating their dignity, physical integrity, freedom, including sexual freedom, causing damage to their physical or mental health, as well as causing suffering and moral harm to the affected persons Violence.
2. Types of domestic violence:
 - 1) Physical violence;
 - 2) Emotional abuse, including witnessing Violence;
 - 3) Neglect;
 - 4) Sexual abuse;
3. The "Blue Cards" procedure imposes specific tasks on the Kindergarten or Nursery in the event of a justified suspicion of domestic violence against the Student. Situations that constitute a reasonable suspicion of violence against a Student include situations in which:
 - a. The student shows signs of physical violence, e.g. traces of blows, burns, bruises, wounds, frequent swellings, fractures, dislocations, etc.;
 - b. The student shows signs of psychological violence, e.g. enuresis, excessive sweating, pain, speech disorders related to nervous tension, etc.;
 - c. The student shows difficulties in establishing contact, has low self-esteem, is withdrawn, fearful, has depression, is tearful, behaves destructive or aggressively, shows apathy, distrust, becomes addicted to. intimidates other Children, avoids conversations, etc.;
 - d. The student has dirty clothes or clothes inappropriate for the weather;
 - e. The Student's development, height and weight are inadequate to the age;
 - f. The student does not use the help of a doctor despite a chronic illness.
4. The Charter is an important element in the fight against domestic violence, as it documents the situation of the aggrieved Student and constitutes evidence in preparatory proceedings and a possible criminal case for bullying. Recognizing Domestic Violence and filling in the "Blue Cards" is the beginning of the process of supporting the victim of Violence.
5. Undertaking intervention against a family affected by violence on the basis of the "Blue Card" procedure does not require the consent of the Student affected by violence.
6. The procedure is initiated on the premises of the Kindergarten or Nursery by filling in the "Blue Card – A" form by the Employee in the presence of the Student who is suspected of being affected by Domestic Violence. When initiating the procedure, intervention measures are taken to ensure



the safety of such a Student. The Blue Card procedure is initiated only after obtaining the consent of the Headmaster of a Kindergarten/Nursery or the consent of the body managing the Institution.

IMPLEMENTATION OF THE "BLUE CARDS" PROCEDURE IN KINDERGARTENS, NURSERY SCHOOLS

§ 28.

1. The "Blue Card" is issued by an Employee of the Kindergarten or Nursery who suspects that there is Violence in the Student's family (the decision to create the "Blue Card" should be made after consultations and in agreement with the educational team consisting of selected Employees caring for a given group of Children).
2. The procedure is initiated by filling in the "Blue Card – A" form in the presence of the Statutory Representative or the Actual Guardian of the Child who is suspected of being affected by domestic violence. If the person suspected of Child Abuse is the Child's Statutory Representative or Actual Guardian, the form is filled in in the presence of the Child's closest relative. It is forbidden to fill in the form in the presence of a person suspected of Child Abuse.
3. In the event of suspicion of domestic violence against the Student, the activities undertaken and carried out as part of the procedure are carried out in the presence of the Student's statutory representatives or actual Guardians.
4. If the persons suspected of using Domestic Violence against the Student are Statutory Representatives or Actual Guardians, the actions with the participation of the Student are carried out in the presence of an adult close person, within the meaning of Article 115 § 11 of the Act of 6 June 1997 – the Penal Code (Journal of Laws No. 88, item 553, as amended).
5. Activities involving a Student who is suspected of being affected by Domestic Violence should, if possible, be carried out in the presence of a pedagogue or psychologist.
6. After filling in the "Blue Card – A" form, the Statutory Representative or the Actual Guardian of the Child who is suspected of being affected by domestic violence is provided with the "Blue Card – B" form. Both documents constitute **Appendix No. 6** to these Standards. If the person suspected of Child Abuse is the Child's Statutory Representative or Actual Guardian, the above form is provided to the Child's closest relative.
7. If Domestic Violence concerns a Student, the "Blue Card – B" form is submitted to the Statutory Representative, the actual Guardian, the closest person or the person who reported the suspicion of domestic violence.
8. The "Blue Card – B" form is not given to a person who is suspected of using Domestic Violence.
9. The completed "Blue Card – A" form is immediately submitted to the interdisciplinary team at the nearest Municipal Social Welfare Centre ("MOPS") no later than within 5 working days from the date of initiating the procedure. Applications to the MOPS should be submitted in person or by mail.



CHAPTER 10

RULES FOR UPDATING THE STANDARD OF PROTECTION OF MINORS AND THE SCOPE OF COMPETENCES OF PERSONS RESPONSIBLE FOR PREPARING EMPLOYEES OF KINDERGARTENS AND NURSERY SCHOOLS TO APPLY STANDARDS OF PROTECTION OF MINORS

§ 29.

1. The procedure of auditing and updating the Standards takes place at least once every 2 years and is carried out by a person responsible for the Standards of Protection of Minors in the Kindergarten or Nursery appointed by the Headmaster of a Kindergarten/Nursery.
2. A person appointed by the Headmaster of a Kindergarten/Nursery monitors the implementation of the Standards, reacts to their violation and coordinates changes to the Standards, at the same time keeping a register of notifications and proposed changes.
3. The person responsible for the implementation of these Standards is obliged to conduct at least once a year a survey among the Employees of the Kindergarten or Nursery, the template of which is **attached as Appendix No. 7** to this Standard, and within 14 days prepares a report on them, which is presented to the Headmaster of a Kindergarten/Nursery. The report is an internal document that is not made available to persons who are not employees of the Kindergarten or Nursery.
4. In the survey, Employees of the Kindergarten or Nursery may propose changes to the Standards and indicate violations of the Standards in the Kindergarten or Nursery.
5. The person responsible for the implementation of the Standards, with the consent of the Headmaster of a Kindergarten/Nursery, may appoint a coordinating team (which may only include Employees of the Nursery School or Nursery who have previously consented to the appointment), if they believe that such a team will contribute to better implementation of the Standards or will allow for a faster response in a situation where the Standards for the Protection of Minors require adjustment.
6. Changes to these Standards require approval by the Headmaster of a Kindergarten/Nursery.
7. After introducing the necessary changes, the Headmaster of a Kindergarten/Nursery announces the new version of the Standards for the Protection of Minors to the Employees of the Kindergarten and Nursery.

CHAPTER 11

RULES FOR MAKING STANDARDS AVAILABLE TO STATUTORY REPRESENTATIVES AND STUDENTS TO BE READ AND APPLIED

§ 30.

1. The Standards for the Protection of Minors are a document publicly available to Employees, Students, Actual Guardians and Statutory Representatives of the Child.



2. These Standards are available to all entities listed in paragraph 1 above, on the website of the Kindergarten or Nursery; in the secretary's office of the Kindergarten/ Nursery and in the therapeutic rooms of the Kindergarten/ Nursery.
3. These Standards are discussed with actual Guardians or Statutory Representatives at the first meeting of a given school year. If the Standards change during the school year, they are discussed with the Actual Guardians or Statutory Representatives at the first meeting held after the changes to the Standards have been made.
4. An employee of the Kindergarten or Nursery provides an extract from the Standards for the Protection of Minors, constituting **Appendix No. 8** to these Standards, to the actual Guardian or the Child's Statutory Representative for review, which is confirmed by the actual Guardian or the Statutory Representative by means of a statement constituting **Appendix No. 9** to these Standards.

CHAPTER 12

MONITORING OF THE APPLICATION OF STANDARDS FOR THE PROTECTION OF MINORS

§ 31.

1. The person responsible for monitoring the implementation of these Standards for the Protection of Minors against Abuse is a person appointed by the Headmaster of a Kindergarten/Nursery.
2. The person referred to in paragraph 1 is responsible for monitoring the implementation of the Standards and for responding to signals of violation of the Standards and for proposing changes to the Standards for the Protection of Minors.
3. As part of defining possible problems and selecting effective ways of solving them in the Kindergarten or Nursery, a sheet of Identification of Information and Training Needs is prepared, which constitutes **Appendix No. 10** to these Standards.

CHAPTER 13

FINAL PROVISIONS

§ 32.

1. The Standards for the Protection of Minors enter into force on the day of their publication.
2. The announcement is made in a manner available to the Employees of the Kindergarten, Nursery, Pupils and their actual Guardians or Statutory Representatives, in particular by posting in the place of announcements for Employees or by sending the text electronically and by posting it on the website, as well as by informing the Statutory Representatives or Actual Guardians of the Pupils about the Standards at meetings.