

## CHILD PROTECTION PROCEDURES

### AT BEL MARE AND AQUA RESORT MIĘDZYDROJE

#### Preamble

Having regard to the United Nations Guiding Principles on Business and Human Rights, and recognising the important role of business in ensuring respect for children's rights, in particular their right to protection of their dignity and freedom from all forms of harm, **Bel Mare and Aqua Resort Międzyzdroje** adopts this document as a model set of principles and procedures for cases where there is a suspicion that a child staying at the *property* is being harmed, and for preventing such risks.

Our child protection policy at the *property* will be implemented through the following principles.

1. *Bel Mare and Aqua Resort Międzyzdroje* conducts its operations with the utmost respect for human rights, in particular the rights of children as persons especially vulnerable to harm.
2. *Bel Mare and Aqua Resort Międzyzdroje* recognises its role in conducting business in a socially responsible manner and in promoting positive social attitudes.
3. *Bel Mare and Aqua Resort Międzyzdroje* emphasises, in particular, the importance of the legal and social duty to notify law enforcement authorities whenever there is a suspicion that an offence has been committed against a child, and undertakes to train its staff accordingly.
4. *Bel Mare and Aqua Resort Międzyzdroje* undertakes to educate staff about circumstances indicating that a child staying at the property may be suffering harm and about how to respond quickly and appropriately in such situations.
5. One effective way of preventing harm to children is to establish the identity of any child staying at the property and the child's relationship with the adult with whom they are staying. Staff shall take all possible steps to establish the child's identity and their relationship with the adult with whom they are staying at the property.

#### Procedure where harm to a child is suspected

1. Whenever possible, the child's identity and their relationship with the adult with whom they are staying at the property must be established.
2. In unusual and/or suspicious situations indicating a possible risk of harm to a child, the identification check must be carried out by a reception staff member. Examples of situations that may give rise to suspicion are set out in Appendix 1.

3. To establish the child's identity and their relationship with the person with whom they are staying at the property:
- ask about the child's identity and their relationship with the person with whom they arrived at or are staying at the property<sup>1</sup>. For this purpose, the adult may be asked to present the child's identity document or another document confirming that the adult is authorised to care for the child while at the property. Examples of such documents are listed in the footnote below. If no identity document is available, the child's details (first name, surname, address, PESEL number) may be requested<sup>2</sup>.
  - If there are no documents showing the family relationship between the child and the adult, both the adult and the **child** must be asked about their relationship. A sample conversation guide for speaking with an adult and a child is provided in Appendix 2.
  - If the adult is neither the child's parent nor legal guardian, they must be asked whether they have a document confirming the parents' consent for the adult and child to travel together (e.g. a written declaration)<sup>3</sup>.
  - If the adult does not have a parental consent document, they must be asked for the parents'/legal guardians' telephone number so that the parents/legal guardians can be contacted to confirm that the child is staying at the property with a third-party adult with their knowledge and consent.
4. If the adult resists presenting the child's document and/or explaining their relationship, it should be explained that the procedure is intended to ensure the safety of children staying at *Bel Mare and Aqua Resort Międzyzdroje* and was developed in consultation with non-governmental organisations active in this field.

---

<sup>1</sup> Under the Child Protection Procedures, a guest staying at the property with a child is required to have a document showing that, as an adult, they are authorised to care for the child (e.g. the child's identity document showing the family relationship, a civil status certificate, a court order, a parent's notarised consent for the person to travel with the child, or a consent form signed by the child's parent stating the child's details, home address, the parent's telephone number and the identity document number/PESEL number of the person to whom the parent has entrusted the care of the child).

<sup>2</sup> If the guest refuses to provide the child's details, it may also be pointed out that the child/the child's parents share liability, together with the person who booked the accommodation, for any damage caused at the property.

<sup>3</sup> In some places, parents are required to prepare a document confirming that they consent to their child travelling with a person who is not the child's legal guardian. Asking for such a document is intended to make the guest aware that having no information whatsoever about their relationship with the child they are checking in with is not normal or something that should be taken for granted. It also gives the staff member grounds to ask further questions to determine whether the child is being harmed in the circumstances. The property may also prepare its own template declaration and inform guests that this document is required when they check in with children for whom they are not the parent/legal guardian. Any such document should be reviewed for compliance with the GDPR and other rules applicable at the property.

5. Once the matter has been satisfactorily clarified, the adult should be thanked for the time taken to confirm that the child is being properly cared for, and it should be reiterated that the purpose of the procedure is to ensure children's safety.
6. If the conversation does not dispel concerns about the adult and their possible intention to harm the child, the supervisor and security staff (if present at the property at the time) must be discreetly notified. To avoid arousing suspicion, staff may, for example, say that they need to use equipment in the back office and ask the adult to wait with the child in the lobby, restaurant or another area.
7. From the moment the first concerns arise, both the child and the adult must remain under continuous staff observation and must not be left alone together.
8. The supervisor who has been notified of the situation decides whether to contact the police or, if there is any doubt, takes over the conversation with the adult under suspicion to obtain further explanations.
9. If the conversation confirms the suspicion that an offence against the child has been attempted or committed, the supervisor notifies the police. The procedure for circumstances indicating harm to a child must then be followed.
10. If unusual and/or suspicious situations are witnessed by staff from other departments [of the property/hotel/hotel chain], e.g. cleaning staff, housekeeping staff, bar and restaurant staff, wellness area staff, security staff, etc., they must immediately notify their supervisor, who will decide on the appropriate action.
11. Depending on the situation and location, the supervisor assesses the extent to which the suspicion of harm to a child is justified. For this purpose, the supervisor selects appropriate measures to clarify the situation or decides to intervene and notifies the police.

## PROCEDURE IN CIRCUMSTANCES INDICATING HARM TO A CHILD

1. Where there are reasonable grounds to suspect that a child staying at the property is being harmed, the police must be notified immediately by calling 112 and describing the circumstances of the incident. Depending on how the situation develops and the circumstances, the call should be made by the person who directly witnessed the incident (staff member/supervisor). If a staff member makes the notification, they must also inform their supervisor of the incident.
2. There are reasonable grounds to suspect harm to a child where:
  - a. the child has disclosed to a staff member at the property that they are being harmed,
  - b. a staff member has witnessed the harm,
  - c. the child shows signs of harm (e.g. scratches, bruising) and, when asked, gives inconsistent and/or confused answers and/or becomes embarrassed, or there are other circumstances that may indicate harm, e.g. child sexual abuse material is found in an adult's room.
3. In such a situation, the child and the person suspected of harming the child must be prevented from leaving the property.
4. In justified cases, the suspected person may be detained by way of a citizen's arrest<sup>4</sup>. In such a case, until the police arrive, the person must be kept under the supervision of two staff members in a separate room out of sight of other guests.
5. The child's safety must be ensured in all cases. The child should remain in the care of a staff member until the police arrive.
6. Where there are reasonable grounds to suspect that an offence has been committed involving contact between the child and biological material from the offender (semen, saliva, skin cells), every effort should be made to prevent the child from washing, eating or drinking until the police arrive.

---

<sup>4</sup> Art. 243 of the Polish Code of Criminal Procedure of 6 June 1997 (consolidated text: Journal of Laws of 2022, item 1375).

§ 1. Any person has the right to apprehend a person caught in the act of committing an offence or during a pursuit undertaken immediately after the offence has been committed, if there is a risk that the person may abscond or if their identity cannot be established.

The expression "caught in the act" used in § 1 means apprehending the offender while they are at any stage in the commission of an offence (but not a petty offence), i.e. at the stage of punishable preparation, attempt or completion. In practice, this will most often be an attempt, since apprehension will usually prevent completion of the prohibited act. For an apprehension to be made, it is sufficient to observe only the objective elements of the offence. K. Dudka [in:] M. Janicz, C. Kulesza, J. Matras, H. Paluszkiwicz, B. Skowron, K. Dudka, Kodeks postępowania karnego. Komentarz, ed. II, Warsaw 2020, Art. 243.

§ 2. The apprehended person must be handed over to the police without delay.

**Explanation:** The property is not in a position to verify its suspicion on the basis of facts or evidence; this is the role of the competent authority conducting the proceedings. Paragraph 2 describes situations in which there are reasonable grounds for suspicion. For a citizen's arrest, it is not necessary for the prohibited act to have been completed (i.e. to "catch" the adult in the act of committing the offence against the child); the stages of the act — preparation, attempt or completion — are sufficient grounds for apprehension. Apprehension at the attempt stage (i.e. when the person is taking direct steps towards completing the act) prevents its completion. Renting a room with a child already constitutes an attempt.

7. After the child has been taken into police care, CCTV recordings and other relevant evidence (e.g. documents) relating to the incident must be secured and, at the request of the authorities, copies must be sent by registered post or delivered in person to the prosecutor or police.
8. After the intervention, the incident must be recorded in the incident log or another document designated for this purpose.

### **Employment of persons to work with children<sup>5</sup>**

1. All persons working with children must not pose a risk to them; this means, among other things, that their employment history should give no indication that they have harmed a child in the past.
2. Every person employed<sup>6</sup> by *Bel Mare and Aqua Resort Międzyzdroje* to perform work involving the education, leisure activities or care of children must be checked against the Polish Register of Sex Offenders (Rejestr Sprawców Przestępstw na Tle Seksualnym)<sup>7</sup>. The check is carried out by printing the person's search result from the restricted-access section of the Register; the printout is then placed in the personnel file of the person checked. The check must be repeated annually. The personal data required to check a person against the Register are listed in Appendix 3.
3. All staff employed to work with children, including persons who may potentially come into contact with children, should submit a declaration that they have no criminal convictions and that no proceedings for offences against children are pending against them – Appendix 4.

### **Glossary:**

For the purposes of this document, the following terms have the meanings set out below:

1. A child is any person under the age of 18.
2. A third-party adult is any person over the age of 18 who is neither the child's parent nor legal guardian.
3. Harm to a child means the commission of a criminal offence against the child.

---

<sup>5</sup> Optional section to be included where the property organises, for example, a children's play area or other recreational activities during which children remain without the supervision of their parents or legal guardians.

<sup>6</sup> Where external service providers are used, the contract with the provider must include an appropriate clause giving the Property/Hotel/Chain an effective means of enforcing an appropriate standard for the provider's screening of its staff to ensure that they do not pose a risk to children. Such a clause should allow compliance with this obligation to be verified, for example by making non-compliance subject to immediate termination of the contract and a contractual penalty.

<sup>7</sup> Act of 13 May 2016 on Counteracting Threats of Sexual Crime (consolidated text: Journal of Laws of 2020, item 152, as amended).

4. Offence against a child – children may be victims of all offences that can also be committed against adults, as well as offences that can only be committed against children (e.g. sexual abuse under Art. 200 of the Polish Criminal Code<sup>8</sup>). Due to the

nature of tourist accommodation, where it is easy to create opportunities for isolation, the offences most likely to occur on the premises are offences against sexual freedom and decency, in particular rape (Art. 197 of the Polish Criminal Code), sexual exploitation of a person's mental incapacity or helplessness (Art. 198 of the Polish Criminal Code), sexual exploitation of a relationship of dependence or a critical situation (Art. 199 of the Polish Criminal Code), sexual abuse of a person under 15 years of age (Art. 200 of the Polish Criminal Code), and grooming (enticement of a minor using means of remote communication – Art. 200a of the Polish Criminal Code).

5. A staff member employed to work with children who must be checked against the Register of Sex Offenders means any person engaged to perform such duties, including a person engaged under a civil-law contract, an intern, trainee or volunteer, regardless of that person's nationality or age.

---

<sup>8</sup> Act of 6 June 1997 – Polish Criminal Code (consolidated text: Journal of Laws of 2022, item 1138, as amended).

## Appendix 1: Examples of situations that may give rise to suspicion or indicate harm to a child

**IMPORTANT!** The presence of one or more of the following indicators does not automatically mean that a minor is being abused. It is important to remain vigilant and pay attention to situations that may give cause for concern. A relationship between an adult and a child that does not appear relaxed and caring should also be regarded as a cause for concern.

### RECEPTION

|                                                                                                                                                                   |                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The guest refuses to provide their personal details or the child's details.                                                                                       | The guest takes the child directly to the room and appears to be trying to prevent the child from interacting with reception staff.                           |
| The guest states that they do not have their own and/or the child's documents and refuses to provide an explanation.                                              | A guest checking in with a child invites other people who are not guests of the property (such persons may stay only briefly).                                |
| The guest pays in cash or with a prepaid card. The guest pays daily (they do not know how long they will stay) or asks someone else to pay for the accommodation. | The guest rents a room by the hour or for less than a full day, or rents a room for a very long period.                                                       |
| The guest brings gadgets or other items that could be given to children as gifts.                                                                                 | A guest arriving with a child has no luggage or only very little luggage (a small bag/briefcase).                                                             |
| The guest appears at the property with a child who was not previously registered with them at reception.                                                          | The guest behaves towards the child in a sexually suggestive manner, and the relationship between the adult and the child does not appear natural and caring. |
| A guest with a child rents a room with fewer beds than the number of registered guests – e.g. only a double bed.                                                  | The child is dressed inappropriately for the weather or is dressed in a manner markedly inappropriate in comparison with the adult accompanying them.         |
| During check-in, the child appears anxious, stressed or forced to stay at the property with the adult.                                                            | Children selling small items or begging outside the property.                                                                                                 |
| The child arrives at the property late at night or at a time when they should be at school.                                                                       | The child does not know where they are or gives inconsistent answers when asked about the purpose of the trip.                                                |

## RESTAURANT AND BAR

|                                                                                                                                            |                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The guest comes to the bar or restaurant with a child who was not registered with them at check-in.                                        | People from outside the property who are not registered guests appear to be looking for customers and offering them something (they may be attempting to facilitate contact with children). |
| The guest asks about sexual services, including those involving young people (e.g. in an overheard conversation in the bar or restaurant). | Teenagers wait at a table or at the bar for an adult who comes to collect them and does not appear to be their parent or guardian (the person may be a client, pimp or human trafficker).   |
| Children who appear to be unattended ask for food, drinks or money.                                                                        | Cash is exchanged between an adult and a child (this may raise suspicion that payment for services is being made).                                                                          |
| The children appear anxious and nervous and avoid eye contact.                                                                             | During the stay, the adult and child do not come to the breakfast room.                                                                                                                     |
| The adult behaves towards the child in a sexually suggestive manner; the relationship does not appear natural and caring.                  | The adult gives the child alcohol.                                                                                                                                                          |
|                                                                                                                                            |                                                                                                                                                                                             |

## HOUSEKEEPING

|                                                                                                                    |                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The "Do Not Disturb" sign remains on the door of a room occupied by children at all times.                         | The guest refuses room cleaning throughout their stay <sup>9</sup> .                                                                                        |
| Large amounts of cash or large numbers of banknotes are observed in the room (this may indicate illegal payments). | Children are left unattended in the room for long periods or do not leave the room at all (e.g. food is brought to them).                                   |
| Large numbers of computers, mobile phones or payment card readers are observed in the room.                        | The adult and children rarely leave the room, hardly leave it at all, or leave only at times when few guests are moving around the property.                |
| Children's clothing or toys are found in the room even though no child has been checked in at the property.        | Adults who are not guests of the property spend time in the lobby, appear to be monitoring the area and make contact with a guest who arrived with a child. |
| Large quantities of alcohol or drugs are found in a room where an adult has checked in with a child.               | Condoms, etc. are left in plain sight in a room where an adult has checked in only with a child/children.                                                   |

<sup>9</sup> The property may state in its house rules that, for the safety of all users of the property, staff may require access to a room whenever the circumstances so require.

## Appendix 2: Sample conversation guide for speaking with an adult and a child during identification checks

When speaking with an adult, remain calm, polite and patient.

At the beginning of the conversation, it is advisable to inform the adult that at *Bel Mare and Aqua Resort Międzyzdroje*, child protection procedures are in place and staff may therefore ask additional questions to verify the child's details or the child's relationship with the adult.

There may be situations in which the adult feels uncomfortable, objects or expresses dissatisfaction. This DOES NOT NECESSARILY mean that they are a potential offender.

### ***Example of a conversation with a guest:***

"Our property/hotel has child protection procedures in place. For this reason, at check-in we ask to see the identity documents of all persons being registered as guests. Does the child have an identity document with them?" (school ID card, passport or other document).

If the child has no document, or if after checking it there is no certainty that the adult is the child's legal guardian, the following questions may be asked to clarify the situation:

- What is the child's name and how old are they?
- Are you the child's legal guardian? Or are you related to the child? Do you have a document authorising you to care for the child?
- Do you have written confirmation from the child's guardians that the child is in your care?
- Do you have the child's guardians' telephone number so that we can confirm this with them?
- What is the purpose of your trip with the child?

### **Example of a conversation with the child:**

- What's your name and how old are you? Where do you live?
- Who is the person you came here with/are staying here with/are travelling with?
- Do you know this person well?
- Where are your parents? We would like to contact them – do you have their phone number?



If the adult answers on the child's behalf, explain that we would like to speak with the child. If the adult obstructs contact with the child, we may point out that if the child's identity cannot be established, we will have to notify the police.



### Appendix 3: Details required to check a person against the Polish Register of Sex Offenders

#### **Details of the employee/contractor/trainee required for a check against the Polish Register of Sex Offenders.**

Full name: .....

Date of birth: .....

PESEL: .....

Surname at birth: .....

Father's first name: .....

Mother's first name: .....

The Register is available at: <https://rps.ms.gov.pl/>

To obtain information from the restricted-access section of the Register, an organisation profile must be created.



## Appendix 4: Employee declaration template

### Declaration

.....  
place and date

I, ....., holder of identity card No. ...., declare that I have not been convicted of an offence against sexual freedom and decency or of a violent offence committed against a minor, and that no criminal or disciplinary proceedings in this respect are pending against me.

I further declare that I have read the Child Protection Procedures in force at ..... and undertake to comply with them.

.....  
Signature

### Privacy notice on the processing of personal data (GDPR)

Pursuant to Art. 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR), we hereby inform you that:

#### 1. Data Controller

The controller of your personal data is **Hotels Management Prestige PM spółka z ograniczoną odpowiedzialnością spółka komandytowa**, with its registered office in Piaseczno (05-500), ul. Pawia 7, unit 96, entered in the Register of Entrepreneurs of the National Court Register under KRS number 0000557562, NIP: 1231298655, REGON: 361559443.

Contact details:

Bel Mare Resort

ul. Bursztynowa 1, 72-500 Międzyzdroje



Tel. +48 91 885 89 00

Email: [biuro@hotelbelmare.pl](mailto:biuro@hotelbelmare.pl)

## 2. Purposes and legal bases for processing

Your personal data will be processed for the following purposes:

- entering into and performing a contract for hotel services and processing the reservation – pursuant to Art. 6(1)(b) GDPR;
- compliance with legal obligations, in particular tax and accounting obligations – pursuant to Art. 6(1)(c) GDPR;
- communicating with customers, responding to enquiries and handling correspondence – pursuant to Art. 6(1)(b) or (f) GDPR;
- establishing, pursuing or defending legal claims – pursuant to Art. 6(1)(f) GDPR, i.e. on the basis of the Controller's legitimate interests;
- sending commercial or marketing information – only where the relevant consent has been given, pursuant to Art. 6(1)(a) GDPR.

## 3. Recipients of personal data

Recipients of the data may include entities providing the Controller with services necessary for its business operations, in particular IT service providers, payment service providers, providers of accounting, legal, postal and courier services, as well as other entities to which the Controller is required to disclose the data by law.

## 4. Data retention period

Personal data will be retained for:

- the period necessary to perform the contract;
- the period required by law, in particular tax and accounting legislation;
- until any claims become time-barred;
- where data are processed on the basis of consent – until that consent is withdrawn.

## 5. Rights of the data subject

You have the following rights:

- right of access to your personal data;
- right to rectification;
- right to erasure in the cases provided for by law;
- right to restriction of processing;
- right to data portability;



- right to object to processing based on the Controller's legitimate interests;
- right to withdraw consent at any time where processing is based on consent, without affecting the lawfulness of processing carried out before its withdrawal.

## **6. Right to lodge a complaint**

The data subject has the right to lodge a complaint with the President of the Personal Data Protection Office if they consider that the processing of their personal data infringes the GDPR.

## **7. Voluntary provision of data**

Providing personal data is voluntary; however, it may be necessary to enter into and perform the contract, process the reservation or respond to an enquiry. Failure to provide the required data may make it impossible to carry out these activities.

## **8. Automated decision-making**

The Controller does not make decisions concerning you by automated means, including profiling, unless you are separately informed of this in accordance with applicable law.