

**STANDARDS FOR THE PROTECTION OF MINORS  
AT THE UNIVERSITY OF SILESIA IN KATOWICE**

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## **General Provisions:**

The University of Silesia in Katowice engages in activities related to minors and their upbringing, education, recreation, medical treatment, provision of psychological counselling, spiritual guidance, participation in sports, and the pursuit of other interests. The University's involvement extends to the general care and welfare of minors, including through its teaching, educational initiatives, and cooperation with schools. In order to protect the dignity of minors, to respect their rights and to ensure the safety of the most vulnerable, the University of Silesia in Katowice has implemented the Standards for the Protection of Minors. These Standards are designed to create an environment where minors can freely and safely pursue their interests and passions in conditions appropriate to their individual needs.

The Standards for the Protection of Minors at the University of Silesia in Katowice have been prepared in accordance with the Act of 13 May 2016 on Counteracting the Threat of Sexual Offences and the Protection of Minors (Journal of Laws of 2024, item 560) and are available to the public in two versions: the full version and the abridged version. The document is particularly relevant for the teaching, research and administrative staff of the University of Silesia in Katowice. It is also of interest to collaborators, students and doctoral candidates.

## **Legal Basis:**

- 1) Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws of 1997, No. 78, item 483, as amended);
- 2) Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November 1989 (Journal of Laws of 1991, No. 120, item 526, as amended);
- 3) Act of 25 February 1964. - Family and Guardianship Code (i.e. Journal of Laws of 2023, item 2809);
- 4) Act of 28 July 2023 Amending the Act - Family and Guardianship Code and Certain Other Acts (Journal of Laws of 2023, item 1606);

- 5) Act of 13 May 2016 on Counteracting the Threat of Sexual Offences and the Protection of Minors (Journal of Laws of 2024, item 560)
- 6) Act of 10 May 2018 on the Protection of Personal Data (i.e. Journal of Laws 2019, item 1781);
- 7) Act of 6 June 1997. - Criminal Code (i.e. Journal of Laws of 2024, item 17, as amended);
- 8) Act of 23 April 1964. - Civil Code (i.e. Journal of Laws of 2024, item 1061, as amended).

## **Chapter I: Definitions.**

### **s. 1**

Whenever used in this document, the following terms shall have the following meanings

1. "University" means the University of Silesia in Katowice;
2. "Minor" means any person under the age of 18 who is enrolled at the University, is being recruited by the University, is in contact with University staff or is on the premises of the University;
3. "Employee" means any person employed by, cooperating with, or studying at the University who may have contact with minors in the course of their University activities;
4. "Guardian of a minor" means a person with authority to represent a minor, in particular a parent or other legal guardian;
5. "Abuse" means any intentional or unintentional act or omission that may result in, or pose a threat to, the welfare and rights of minors;
6. "Registry" means the Sexual Offender Registry referred to in Article 4(1) of the Act;
7. "KRK" is an abbreviation of the National Criminal Register;
8. "Plenipotentiary" means the Rector's Plenipotentiary for the Protection of Minors;
9. "Internal Reporting Regulations" means the Internal Reporting Regulations which lay down the procedure for reporting offences and taking follow-up action. These regulations are a Schedule to the Regulation No. 168 of the Rector of the University of Silesia in Katowice of 1 December 2002 on the Adoption of the Internal Reporting Regulations, which specify the procedure for reporting violations and taking follow-up measures;
- 10) "Act" - means the Act of 13 May 2016 on Counteracting the Threat of Sexual Offences and the Protection of Minors.

## **Chapter II: Checking whether a person is listed the Sex Offender Registry and the rules on admission to work with minors.**

### **s. 2**

(1) The University is obliged to vet persons employed or admitted to other activities involving contact with minors.

(2) The safe admission of persons employed or admitted to other activities involving contact with minors is defined by the Rector in the form of a regulation.

(3) It is the responsibility of each employee to familiarise themselves with the Standards prior to taking up employment or other activity involving contact with minors. They must confirm their familiarity with the Standards and comply with the provisions set out in them.

(4) The content of the declaration and acceptance of the Standards is provided in Schedule 1 to the Standards.

(5) The declaration referred to in paragraph (4) may form an integral part of the placement agreement (Polish: *umowa o odbycie stażu*), volunteer agreement or other Polish civil law agreement.

(6) Signed declarations must be attached to the personal file of the Employee, and in the case of other individuals involved in activities involving contact with minors, to the personal file of the student, doctoral student, postgraduate student, or to documentation of a given event or documentation related to the performance of a Polish civil law agreement. This is in accordance with s. 2(5) above.

(7) Employees who are to take up employment or other activities involving contact with minors shall be given the opportunity and encouraged to participate in training on the practical application of the standards. It is the responsibility of the Plenipotentiary to organise and determine the content of the training.

## **Chapter III: Rules for ensuring safe relations between employees and minors.**

### **s. 3**

(1) Employees shall, in accordance with generally applicable law, the internal regulations of the institution, including these Standards, and within the scope of their authority and competence, maintain a professional relationship with a minor, acting in a manner that is open

and transparent to others, appropriate to the circumstances, safe, reasonable and fair to the minor.

(2) Employees shall treat minors with respect and consider their rights and needs. It is unacceptable to harm minors in any way.

#### **s. 4**

##### **(1) In particular, when dealing with minors, it is unacceptable to**

1) Use physical force or abuse physical superiority against minors, e.g.: hit, push, shove minors, or restrict their freedom of movement;

2) Use psychological violence or abuse a position of power against minors, e.g.: humiliate, ridicule, intimidate, threaten, omit, isolate, discriminate, verbally abuse minors;

3) Make negative remarks or comments about a minor's appearance, background, gender identity, sexual orientation, economic situation, or health and fitness;

4) Offer alcohol, tobacco products or illegal psychoactive substances to minors, or consume them with or in the presence of minors;

5) Enter into a romantic, emotional or sexual relationship with a minor, proposition them for this type of relationship or contact, direct comments, jokes, gestures of a sexual nature towards them, and provide erotic and pornographic content to students in any form;

6) withhold information about the establishment of a romantic or sexual relationship between a minor and an adult, in particular an employee of the University, or to establish such a relationship, as well as withhold information about the possibility of unilateral romantic or sexual fascination between a minor and an adult;

7) Give or accept gifts, other than nominal gifts, from minors or their guardians;

8) Behave in an indecent or inappropriate manner in the presence of minors, such as using vulgar language, offensive remarks, and references to sexual attraction;

9) Disclose sensitive information, especially concerning the family, economic, medical or legal situation of a minor, to unauthorised persons, including other minors;

10) Spread false information about a minor, and any kind of degrading, insulting, or ridiculing material about a minor;

11) Raise one's voice to minors in situations that do not concern the safety of the minor or other minors;

12) Favour certain minors;

13) Publish the image of a minor without the written consent of the minor's guardian, except when the image of the minor is only a detail of a whole, such as a gathering, landscape, public event; the consent to publish the image of the minor is attached as Schedule 2 to the Standards.

2. Schedule 3 of the Standards defines forms and signs of abuse of a minor: physical, psychological, sexual abuses, and neglect - as behaviours or situations unacceptable to a minor.

## **s. 5**

In all interactions between minors and employees, employees must:

1) Act for the minor's benefit and in their best interest, respect their dignity and subjectivity, and consider their feelings and needs;

2) Act towards minors in a manner that is open and transparent to others in order to minimise the potential of misinterpretation of behaviour;

3) Maintain a professional relationship with minors and behave towards them in a non-threatening and fair manner that is appropriate to their age, their level of maturity and the situation;

4) Establish rules and operating principles, state and explain requirements and expectations of minors according to their maturity, and respond firmly to unwanted behaviour;

5) Show patience and respect when communicating with minors and respect the opinions expressed by minors;

- 6) Respect minors' right to privacy;
- 7) Appreciate and respect the contribution of minors to activities;
- 8) Inform minors about decisions that affect them, taking into account their expectations;
- 9) Assure minors of the possibility of obtaining assistance from staff in situations of perceived mental and/or physical discomfort;
- 10) Conduct conversations with minors only when the door is open or in the presence of others, except in situations where the minor's privacy or other well-being may be violated;
- 11) Respond in a manner appropriate to the minor's situation and capabilities, including adapting the level of communication to minors with special educational needs, including disabilities;
- 12) Treat minors equally, regardless of their gender, sexual orientation, ability/disability, social status, ethnicity, culture, religion and beliefs;
- 13) Have physical contact with minors only when justified by the circumstances, including safety and the real needs of minors, taking into account their age, maturity, gender, cultural and situational context, respecting the limits of intimacy and in a manner that cannot be considered indecent or inappropriate. Whenever possible, physical contact should always be preceded by the explicit consent of the minors.

#### **s. 6**

- (1) An employee shall inform the minor of the principles of safe use of the Internet and shall monitor the minor's safe use of the Internet during classes.
- (2) The minors' guardians shall be informed of any case of cyberbullying and, if the situation so requires, the appropriate institutions shall be involved.

#### **Chapter IV: Rules for ensuring safe relations among minors. Prohibited behaviour.**

#### **s. 7**

The basic principle of relations between minors is that they should behave respectfully towards each other, taking into account the dignity and needs of other minors. It is

unacceptable for a minor to abuse another minor in any way. Minors must respect the right to privacy of other minors.

In relations among minors, it is specifically forbidden to

- 1) Use vulgar words, gestures and jokes, make offensive remarks;
- 2) Embarrass, humiliate, belittle, insult or shout at other minors;
- 3) Make references to sexual activity or attraction in speech;
- 4) Use physical aggression against other minors in the form of behaviour such as hitting, pushing, knocking over, pulling at their clothes and body, restricting their physical freedom, etc;
- 5) Record the image of other minors (filming, voice recording, photographing) when they have not consented and in situations that may embarrass or offend them;
- 6) Distribute images of other minors without permission;
- 7) Share alcohol, tobacco products, illegal substances between minors and use them in the presence of other minors;
- 8) Maintain intimate relations and engage in sexual behaviour that may constitute an act prohibited by law.

A minor, when interacting with another minor, shall:

- 1) not use violence in any form;
- 2) address the minor with respect and does not offend their sense of dignity;
- 3) respect the rights and freedoms of another minor within the framework of socially accepted norms and values;
- 4) maintain friendliness and personal decorum;
- 5) control their behaviour with regard to the expression of views and opinions;
- 6) express themselves in a way that does not harm, stigmatise or offend anyone;



7) respond to violence that they witness or have knowledge of, particularly by informing a University employee.

A report of any form of abuse against another minor may be made by the minor themselves, their guardian or a witness of the incident.

Section 8 of the Standards shall apply *mutatis mutandis* to the reports referred to in the first sentence above.

## **Chapter V: Rules and procedure for responding to suspected or known instances of abuse involving a minor.**

### **s. 8**

(1) Information about abuse or suspected abuse of a minor should be reported immediately to the Rector's Plenipotentiary at the address given on the University's website, to the direct organiser of the event or to in the manner specified in the Internal Reporting Regulations.

(2) The procedure for intervention in a situation of suspected or known abuse of a minor shall be conducted by the Rector's Plenipotentiary.

(3) If the information referred to in s. 8(1) is received, the Rector's Plenipotentiary shall investigate the situation and provide the minor or their guardian with the necessary assistance, including contacting the relevant public institutions.

(4) In case of suspected or known abuse of a minor which may constitute a crime, the Rector or the Rector's Plenipotentiary shall immediately inform the competent services and prosecuting authorities or the guardianship court, if necessary by filing a report of possible criminal offence.

(5) In the event of an immediate threat to the health or life of a minor, the competent services shall be notified immediately.

(6) If a minor discloses that they are being abused to a student in a work placement or internship, the student is obliged to report the matter immediately to the work placement supervisor, the management of the institution or any other person responsible for the safety of minors.

(7) In the event of suspected abuse of a minor by an employee, the Rector shall immediately remove that person from all contact with the minor until the matter is resolved.

(8) Records of disclosed or reported incidents or events threatening the welfare of a minor shall be kept in accordance with internal regulations, in particular the Archiving Regulations of the University of Silesia in Katowice.

#### **Chapter VI: Rules for setting up a plan to help minors following disclosure of abuse.**

##### **s. 9**

(1) The University shall endeavour to ensure the highest level of safety and protection of minors in its activities.

(2) A University Employee who observes or suspects symptoms of abuse in a minor shall take appropriate action to protect the minor from further abuse. Where possible, the Employee may provide emotional support to the minor by showing empathy, listening carefully to the minor and demonstrating trust and basic support.

(3) Examples of symptoms of abuse are detailed in Schedule 4 of the Standards.

##### **s. 10**

(1) The Rector's Plenipotentiary, in consultation with specialists in psychological and pedagogical assistance and in agreement with the minor's guardian, shall draw up a plan for the support of the minor following the disclosure of the abuse.

(2) The support plan for the minor shall include arrangements concerning in particular

1) the situation of the minor following the disclosure of the abuse or of a well-founded suspicion, including their psychological situation, safety, family situation and the possibility of receiving support from family members

2) the need to intervene to ensure the minor's safety, including the possibility of reporting the abuse or suspicion to the competent authorities, institutions;

3) informing and assisting the minor and their guardians in contacting the relevant institutions

4) cooperation with the minor's guardians in providing assistance to the minor.

#### **Chapter VII: Rules for reviewing and updating the Standards.**

##### **s. 11**

(1) The Standards shall be reviewed periodically, at least every two years, for compliance with generally applicable law and the legitimate needs for the protection of minors in activities involving contact with minors, and shall be updated as necessary.

(2) The Rector's Plenipotentiary shall be responsible for the review referred to in s. 11(1), for responding to breaches of the Standards and for proposing amendments to the Standards. These measures shall be taken in consultation with members of the academic community who carry out activities relating to minors.

(3) The conclusions of the evaluation of the Standards shall be documented by the Rector's Plenipotentiary.

#### **Chapter VIII: Rules and procedures for the dissemination of the Standards.**

##### **s. 12**

(1) The Standards are available on the University's website in a full version and an abridged version for minors. The abridged version contains information relevant to minors and their guardians.

(2) Printed copies of the Standards are also available for inspection at the Rector's Office.

#### **Chapter IX: Final provisions**

##### **s. 13**

The following Schedules are an integral part of the Standards:

- 1) Schedule 1 - Declaration of Familiarity with the Standards for the Protection of Minors at the University of Silesia in Katowice;
- 2) Schedule 2 – GDPR Information Clause on the Publication of Images of Minors together with the Consent for the Publication of Images of Minors;
- 3) Schedule 3 - Forms and Manifestations of Abuse/Violence Against a Minor: Physical, Psychological, Sexual Abuses, and Neglect - as Unacceptable Behaviour or Situations in Relation to a Minor;
- 4) Schedule 4 - Recognising the Signs of Abuse of a Minor.

