

Principles of safe recruitment

1. (1) With respect to the recruitment process implemented by the Foundation, especially for educator positions, it is recommended that people employed by the Foundation, regardless of the legal basis of their employment with the Foundation (employment contract, civil contract, for volunteer work, or internship contract) possess the appropriate qualifications to work with children and ensure their safety. To verify this, including the candidate's attitude towards children and their alignment with values of respect for and protection of children's rights, the Foundation may request information (including documents) regarding:
 - 1) Education
 - 2) Professional qualifications
 - 3) Candidate's previous employment history.

In all cases, the Foundation must have information that identifies the person employed by it, regardless of the basis of employment. The Foundation should therefore know:

- 1) first name(s) and last name
 - 2) date of birth
 - 3) contact information of the person employed
1. The Foundation may ask the candidate to provide references from a previous employer or to provide contact information to a person who can provide such references. The basis for providing references or contact to former employers is the consent of the candidate. Failure to provide such data in light of current legislation should not cause negative consequences for that person in the form of, for example, refusal of employment solely on this basis. The Foundation cannot independently conduct so-called screening of job applicants, as it is limited in this regard by the provisions of the General Data Protection Regulation and the Labor Code.
 2. The Foundation is required to verify if the employee is listed in the Register of Sexual Offenders - Restricted Access Register and if the State Commission for the Prevention of Sexual Abuse of Minors under 15 years

of age has issued a decision for entry in the Register. The Registry is available at: rps.ms.gov.pl. To obtain information from the Restricted Access Register, the Foundation must first create a profile. To check an individual in the Registry, the Foundation requires the following information about the applicant: First and last name:

1. Date of birth
2. PESEL number
3. Maiden name
4. Father's first name
5. Mother's first name

A printout from the register is to be stored in the employee's personnel file or in analogous documentation regarding volunteers/employees on civil law contracts.

For employees hired under an employment contract, verification in the Register of Sexual Offenders is conducted by the HR and Payroll Department. For individuals employed in educational roles under civil law contracts, volunteer work, and internships, verification is performed by the Foundation staff member responsible for the given contract and its scope of work.

3. The Foundation requires candidates for educational positions to submit a criminal record certificate from the National Criminal Register confirming no convictions for offenses 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 July 29, 2005, on Counteracting Drug Addiction (consolidated text: Dz. U. of 2023, item 1939), or for corresponding offenses under foreign law.
4. A person with citizenship other than Polish should also submit criminal record information of the country of which he or she is a citizen, obtained for the purposes of professional or volunteer activities related to contact with children. If the law of that country does not provide for the issuance of such information, the submission of general criminal record information is required for the above mentioned purpose.

5. The Foundation requires from the candidate a statement about the country(ies) of residence in the last 20 years, other than the Republic of Poland and the country of citizenship, submitted under the risk of criminal liability.
6. If the country from which the criminal record information is to be provided does not issue such certificates or does not maintain a criminal register, the candidate must submit a declaration, under penalty of perjury, stating this fact, along with a statement that they have not been convicted in that country for offenses corresponding to those 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 July 29, 2005, on Counteracting Drug Addiction, and that no other judgment has been issued against them confirming the commission of such prohibited acts, and that they are not subject to any obligation, arising from a court judgment, other competent authority, or law, to refrain from holding any or specific positions, performing any or specific professions, or engaging in activities related to education, care, counseling, spiritual development, or other interactions with minors.
7. Under the declarations submitted under penalty of perjury, the following statement must be included: *I am aware of the criminal liability for submitting a false statement.* This statement replaces the warning from the authority about the criminal liability for providing false information.
8. Where permitted by law, the Foundation is obliged to request a criminal record certificate from the National Criminal Register. Such certificates can only be requested in cases where the law explicitly stipulates that employees in certain professions or positions must meet the requirement of having no criminal record. As of 15 February 2024, the no criminal record requirement applies to any person admitted to educational activities.
9. In cases where it is impossible to provide a criminal record certificate, the Foundation is obliged to ask the candidate to submit a declaration of no criminal record and no pending preparatory, judicial, or disciplinary proceedings for offenses and other acts committed against children.

Refusal to submit such a declaration cannot result in any negative consequences for the candidate, including being the sole basis for denying employment. Below is a sample form of such a declaration.

DECLARATION OF CRIMINAL RECORD STATUS

.....
Place and Date

I,
PESEL number/**passport number**
.....

I hereby declare that in the country of no criminal register is maintained / no information is issued from the criminal register. I declare that I have not been convicted of a crime in the country of for offenses corresponding to those defined in Chapters XIX and XXV of the Penal Code, in Article 189a and Article 207 of the Penal Code, and in the Act of July 29, 2005, on Counteracting Drug Addiction, and that no other ruling has been issued against me confirming that I have committed such prohibited acts, and that no obligation has been imposed on me by court order, another competent authority, or by law to comply with a ban on holding any or specific positions, performing any or specific professions, or engaging in activities related to education, care, recreation, treatment, providing psychological counseling, spiritual development, engaging in sports, pursuing other interests with minors, or caring for them.

I am aware of the criminal liability for submitting a false statement.

.....
Signature

STATEMENT ON COUNTRIES OF RESIDENCE

I hereby declare that in the past 20 years I have resided in the following countries, other than the Republic of Poland and my country of citizenship:

- 1.
- 2.

and concurrently, I submit information from the criminal records of these countries, obtained for the purposes of professional or volunteer activities involving contact with children/information from criminal records.

I am aware of the criminal liability for submitting a false statement.

.....

Signature

....., date