

**Ordinance No. 21
of the Rector of Poznan University of Technology
of 5 August 2024
(RO/VIII/21/2024)**

**on the principles of verification of persons in connection with the provisions
of the Act on counteracting sexual crime threats and protecting minors**

Acting pursuant to Article 23 section 1 of the Act of 20 July 2018 - Law on Higher Education and Science (Journal of Laws of 2023, item 742, as amended), in connection with Article 12 points 5, 6 and 7 and Article 21 of the Act of 13 May 2016 on counteracting sexual crime threats and protecting minors (Journal of Laws of 2024, item 560, as amended) and the provisions of the Regulation of the Minister of Justice of 31 July 2017 on the procedure, method and scope of obtaining and sharing information from the Register with limited access and the method of creating a user account (Journal of Laws of 2017, item 156, as amended), **it is ordered** as follows:

§ 1

Preliminary provisions

1. The Ordinance specifies the procedure for verifying persons at Poznan University of Technology with whom an employment relationship is to be established or who are to be admitted to other activities related to upbringing, education, recreation, treatment, provision of psychological counselling, spiritual development, practising sports or pursuing other interests by minors or caring for them, referred to in Article 21 of the Act of 2016, the Act of 13 May 2016 on counteracting sexual crime threats and protecting minors.
2. Whenever the Ordinance mentions:
 - 1) a minor – it should be understood as a person who is under 18 years of age;
 - 2) the Act – it means the Act of 13 May 2016 on counteracting sexual crime threats and protecting minors;
 - 3) the Register – it means the Sex Offender Register referred to in Article 4 of the Act;
 - 4) the University – it means Poznan University of Technology;
 - 5) NCR – it means the National Criminal Register.

§ 2

Objective scope

1. At the University, the following are seen as the activities referred to in § 1 section 1:
 - 1) education process as part of first-cycle studies,
 - 2) running courses, training sessions, summer schools, etc.,
 - 3) organizing entertainment events, disseminating science, and promoting the University, integration, recreation, sports, tourism, etc. (including student unions and university organizations which bring together students and Ph.D. students),
 - 4) providing psychological support,
 - 5) other events related to education, upbringing and leisure (e.g. organizing play schemes for employees' children, etc.) as long as they are attended by minors.
2. In the event of a negative verification, an employee is not allowed to perform the activities referred to in section 1.
3. Reallowing a positively verified person to perform the activities referred to in section 1 requires re-verification after 2 years.

§ 3

Obligations on the part of the University

1. The responsibility to initiate the verification procedure of a given person lies with Deans, Directors of institutes, centres, the library, the Director of the Doctoral School, Heads of other organizational units in relation to:
 - 1) employees, interns, trainees and other persons cooperating with an organizational unit on different terms, for a fee or free of charge, who may have contact with minors in connection with the performance of their duties,
 - 2) students who may have contact with minors, e.g. in connection with the pursuit of a curriculum of studies, activities performed in university student organizations or science clubs,
 - 3) Ph.D. students who may have contact with minors, e.g. in connection with the pursuit of a curriculum of studies, as well as in connection with activities performed in organizations or science clubs,
 - 4) volunteers who may have contact with minors in connection with the performance of volunteer duties,
 - 5) attendees of postgraduate studies conducted by an organizational unit who may have contact with minors in connection with the pursuit of a curriculum of postgraduate studies,
 - 6) persons performing other activities on the basis of agreements concluded on behalf or for the benefit of University, including contracts of mandate, contracts for specific work and other civil law contracts,

whose tasks are related to activities covered by the protection of minors, before admitting these persons to such activities, in particular before undertaking classes, work experience schemes, practical classes or before signing a civil law contract, in connection with the implementation of projects financed from external sources or in connection with events addressed to school pupils (e.g. artistic events, open day events, etc.)
2. The Rector may also request verification in the Register of persons not listed in section 1, who may have contact with minors in connection with the admission of these persons to the activities referred to in § 1.
3. The verification is carried out before:
 - 1) establishing an employment relationship or
 - 2) before allowing a given person to perform the duties or activities specified in § 1 and § 2 of the Ordinance, yet not more frequently than once every 2 years.

§ 4

1. Employees of the Human Resources Office are authorized and obliged to verify in the Register (no later than 14 days) before admitting the below-mentioned persons to tasks related to activities covered by the protection of minors:
 - 1) job candidates with whom an employment contract is to be concluded,
 - 2) employees,
 - 3) students,
 - 4) Ph.D. students,
 - 5) postgraduate students,
 - 6) persons admitted to the University for internships, traineeships, volunteering schemes, etc.
 - 7) persons performing other activities on the basis of agreements concluded on behalf or for the benefit of the University, including contracts of mandate, contracts for specific work and other civil law contracts,
 - 8) project managers who are not employees of the University implementing projects on the basis of an agreement between the University and the project manager who is not an employee of the University.
2. Verification does not apply to:
 - 1) academic teachers employed at the University before 15 February 2024, who submitted a clean criminal record statement at Poznan University of Technology;
 - 2) academic teachers employed at the University before 15 February 2024, who will submit a clean

criminal record statement at Poznan University of Technology before being allowed to perform tasks related to the activities referred to in § 2 section 1.

§ 5

The template of a request to verify a given person in the Register is specified in the Attachment to the Ordinance.

§ 6

1. Verification of the persons referred to in § 1 section 1 is carried out through an institutional account set up in the ICT system made available on the website of the Ministry of Justice, the administrator of which is the Head of the Human Resources Office of Poznan University of Technology.
2. The administrator's tasks include:
 - 1) entering and deleting data of employees who are verified in the Register;
 - 2) conducting correspondence with the Information Office of the National Criminal Register;
 - 3) keeping a list of currently authorized employees responsible for verification;
 - 4) verifying persons in the Register.
3. Through using the institutional account of Poznan University of Technology, information from the Register can also be obtained by other employees of the Human Resources Office who have the official permission to do so. Having been approved by the Rector, the official permission is transferred to the Information Office of the National Criminal Register.
4. An authorized employee may perform verification in the Register after being granted a right to do so in the system by the Information Office of the National Criminal Register.
5. The duties of an authorized employee referred to in section 4 include in particular:
 - 1) keeping records of requests for verification in the Register;
 - 2) generating, through the institutional account of the University, inquiries to be relayed to the Register regarding the persons referred to in § 1;
 - 3) printing an inquiry response downloaded from the Register;
 - 4) informing a person requesting verification in the Register of its result;
 - 5) attaching information from the Register and statements to an employee's personnel file, personal records of a student, personal records of a Ph.D. student, personal records of a postgraduate student, and to documentation related to the performance of a civil law contract, etc.

§ 7

1. Information obtained from the Register may be used only for the purposes of the proceedings in connection with which it was requested, in particular for the protection of minors.
2. In the event of a positive verification, i.e. the presence of data of the person referred to in § 1 in the Register, it is forbidden to refer such a person to work or to perform duties involving contact with minors.

§ 8

Obligations on the part of an employee

1. Each person before taking up employment or before being admitted to tasks related to activities covered by the protection of minors is obliged to submit information to the University from the NCR related to crimes specified in chapters XIX and XXV, in Article 189a and Article 207 of the Criminal Code and in the Act of 29 July 2005 on counteracting drug addiction (Journal of Laws of 2023, item 1939) or forbidden acts corresponding to these offences and specified in the provisions of foreign law.
2. Each person referred to in § 1, holding the citizenship of a country other than the Republic of Poland,

should also submit to the University information from the criminal register of the country of citizenship obtained for the purposes of professional activity related to contacts with children.

3. Any person referred to in § 1 who has resided in countries other than the Republic of Poland and the country of citizenship for the last 20 years – before taking up employment or before being allowed to perform tasks related to activities covered by the protection of minors – is obliged to submit a statement about this fact and to provide information from the criminal registers of these countries obtained for the purposes of professional activity related to contacts with children.
4. If the law of the country referred to in section 2 or 3 does not provide for the issuance of information for the purposes of professional activity related to contacts with children, information from the criminal register of that country should be provided.
5. If the law of the country from which the information referred to in sections 2-4 does not provide for its preparation or no criminal register is kept in a given country, the person referred to in § 1 submits a statement to the University about this fact together with a statement that he/she has not been legally convicted in that country for prohibited acts corresponding to the offences specified in chapters XIX and XXV of the Criminal Code, in Article 189a and Article 207 of the Criminal Code and in the Act of 29 July 2005 on counteracting drug addiction and no other decision has been issued against him/her, which states that he/she has committed such prohibited acts, and that there is no obligation, resulting from the decision of a court, other authorized body or Act, to comply with the ban on holding any or specific positions, pursuing any or specific professions or activities related to upbringing, education, recreation, treatment, provision of psychological counselling, spiritual development, practising sports or pursuing other interests by minors or caring for them.
6. The statements referred to in sections 3 and 5 are submitted under the penalties of perjury. A person making the statement is obliged to include the following clause in it: "I am aware of the criminal liability for making a false statement."
7. The verified person is obliged to immediately inform the University about any change in data in the NCR or change affecting the content of documents resulting from Article 21 of the Act, preventing the performance of tasks related to activities covered by the protection of minors.
8. Persons before taking up employment at the University or being admitted to the activities referred to in § 1 section 1 obtain information in paper or electronic form.
9. The costs of obtaining information from the NCR are borne by the persons referred to in section 8.

§ 9

The Ordinance enters into force on the day of signing.

The original signed by

Rector
of Poznan University of Technology

Professor Teofil Jesionowski, Ph.D., D.Sc.