

COUNSELING STANDARDS

IN THE ASSOCIATION FOR LEGAL INTERVENTION

The rules and principles of the assistance provided by the Association for Legal Intervention are public. Each beneficiary should have the opportunity to get acquainted with the rules and principles of assistance before obtaining help.

Attitude towards the beneficiary

1. The advice provided by the Association is aimed to give the beneficiary the means to make independent decisions. The adviser's task is to present different solutions to a problem, with the possible consequences for the beneficiary. The beneficiary should choose the preferred solution.

2. The adviser treats every beneficiary with due respect, never humiliates the beneficiary, is open to the beneficiary and listens to them.

3. Any form of discrimination, regardless of the beneficiary's qualities, in particular: age, gender, disability, race or ethnic origin, nationality, religion or lack of religious beliefs, sexual orientation or gender identity, is prohibited. Every beneficiary is treated equally, on partnership terms, without prejudices.

4. The whole conversation, the beneficiary's behavior and all the information about him/her or any other person given by the beneficiary are confidential.

4.1. If the case needs assistance of third parties external to the Association, after prior agreement with the beneficiary, the contents of the conversation or its part and the information regarding the beneficiary's position, can be revealed to them in the framework of the abovementioned agreement.

4.2. The beneficiary's agreement is not needed in the case of consultation within the Association with any of the Association's employees.

4.3. After prior consent of the beneficiary, another person can take part in the consultation process, i.e. trainee/volunteer/assistant.

4.4. If the beneficiary becomes emotional, the consultation is undertaken with the assistance of another Association's employee.

4.5. The place where the advice is provided should guarantee safety and confidentiality of the conversation with the beneficiary.

4.6. The person providing consultation is obliged to report information regarding any crime committed by the beneficiary, if the denunciation obligation is results from relevant regulations.

5. No assistance shall be provided to the opposite sides of the same conflict.

6. Each case is registered.

6.1. Prior to the first consultation, the beneficiary agrees [in writing] to process his/her personal data.

6.2. The lack of agreement to the above is equivalent to the resignation from the Association's assistance.

6.3. Personal data of the beneficiary is filed ensuring its confidentiality and proper security.

7. Any assistance is free of charge. In the case of granting powers of attorney to the Association for Legal Intervention or any of its employees, the beneficiary is obliged to cover the administrative fee (stamp duty). The beneficiary is also obliged to pay fees for the court or administrative proceedings (court fees, registration fees).

8. The beneficiary may apply for changing their adviser. If possible, another Association adviser's services should be offered or the beneficiary should be referred to another NGO.

Standards concerning advisers

9. Advisers should provide information in an honest, specific and exhaustive manner.

10. Advisers do not provide information they are not sure of; or information, which is based on incomplete and uncertain information given by the beneficiary. Information that is uncertain or to which there is no full certainty, should be checked and/or completed in a reasonable time.

11. If it is necessary, especially in difficult or complicated cases, advisers should consult the case with other employees.

12. Neither the person providing the advice nor the Association are responsible for the provided information or advice if:

12.1. the beneficiary misleads the employee of the Association when presenting the factual or legal status,

12.2. the mistake in advice or information provided was made unintentionally.

13. The person providing consultation has right to refuse providing assistance or advice when:

13.1. the beneficiary's case goes beyond the scope of the Association's activities;

13.2. it is against his/her conscience or belief. In such a situation he/she indicates other possibilities of obtaining advice;

13.3. the beneficiary's attitude towards him/her is not in accordance with the generally accepted values and laws of society; if the beneficiary is insulting, threatening or suggesting solutions which are unethical or at variance with the Polish law;

13.4. in his/her opinion the beneficiary's requirements are excessive, inadequate in a given situation or require disproportionate amount of work or time in relation to the legal effects expected by the beneficiary;

13.5. the beneficiary has the possibility of obtaining paid legal assistance or if he/she was already granted assistance at another NGO in this specific case.

14. Due to significant reasons, such as threat to employees' safety or violation of generally accepted values and laws of society by the beneficiary, the Association's Board may decide to refuse to provide the client with any

services performed by any and all Association's employees. In such circumstances, the beneficiary is informed about other possible ways of obtaining advice on his or her matter.

15. It is prohibited to:

15.1. accept any gifts from beneficiaries or accept any other proofs of gratitude;

15.2. provide any kind of paid services to beneficiaries – both, during the office hours in the Association and outside working hours.

16. Each adviser is obliged to raise his /her qualifications continually.

17. The employees less experienced in providing advice should work under substantive supervision.

Complaint mechanism

18. In case of a breach of these standards or good manners by the person providing advice, the client has the right to lodge a complaint with a member of the Association's Management Board.

18.1 A complaint should be submitted in writing by submitting a letter to the secretariat of the Association or by e-mail to the following address: biuro@interwencjaprawna.pl in any language. The client receives, respectively, a written or e-mail confirmation of the complaint.

18.2 In exceptional cases, a client who is unable to submit a complaint in writing or by e-mail submits the complaint orally to a member of the Management Board or another person authorized by him. The secretariat manager is responsible for organizing the meeting for the oral submission of a complaint. The lodging of the complaint and its content are documented in the memo.

18.3 A complaint is examined by a member of the Management Board within 14 days of its submission. The complainant is informed in writing about the manner of considering the complaint. In the case of a complaint submitted orally, the client receives an oral response to the complaint from a member of the Management Board, an authorized person or the manager of the secretariat. The answer is documented in the memo.

18.4 If the violation described in the complaint is found, in the reply to the complaint, the complainant is informed about the actions taken to eliminate similar violations in the future.

Standards concerning the ways to provide information or advice

19. Legal consultation, including drafting legal documents, is provided only by the lawyers.

19.1. Legal consultation is understood as specified information, applicable in a specified case, based on data and materials provided by the beneficiary; legal consultation can include drafting a project of a legal document and assisting the beneficiary in his/her case before an administration office or a court.

19.2. During the legal consultation lawyers concentrate on legal issues.

19.3. If preparing a document is a part of the legal assistance, lawyers should precisely explain the content of the prepared document to the beneficiary.

20. Advisers that are not lawyers shall provide only legal information.

20.1. Legal information is understood as the information given to the beneficiary about general laws in Poland and about their practice and adaptation, especially through: informing about specific regulations, providing examples of legal documents, handing over leaflets and information brochures.

20.2. If the beneficiary needs legal consultation, the adviser redirects him/her to the lawyer.

21. Advisers shall provide consultation in such a manner as to activate the beneficiary and encourage him/her to undertake individual actions in their case.

22. During the consultation a language comprehensible to the beneficiary shall be used. Communication must be clear and precise. Advisers are responsible for that form of communication.

23. If the beneficiary does not speak Polish, advisers shall use the language comprehensible to the beneficiary, at least in a communicative manner or shall use the help of an interpreter.

24. The Association does not allow beneficiaries to use telephones or the printer for private purposes.

25. The above standards shall also apply to other forms of assistance provided by the Association.