



Code of Ethics

Effective date: 23/05/2020

Semmelweis University
Senate

Senate resolution No. 73/2020. (V. 21.)

on the acceptance and ratification of the Code of Ethics

Based upon the authorisation awarded in paragraph 18. section (9) point d) of the organisational and operational regulations (SZMSZ) the Senate of the Semmelweis University decided as follows:

1. § Senate of the Semmelweis University accepted and ratified the proposition on the Code of Ethics.
2. § Present resolution and the Code of Ethics thereupon **shall enter into force on the day following the publication** on the website of the Directorate General of Legal and Administrative Affairs (JIF)
3. § Upon present resolution entering into force the Code of Conduct accepted by resolution No. 148/2017. (XI.30.) **shall be repealed.**

23/05/2020

Dr. Béla Merkely

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PREAMBLE

The University bears special responsibility to observe and enforce the norms of ethical behaviour and institutional practice. These rules constitute stricter requirements and higher expectations than those the rules of law and university regulations determine as a minimum of compliance.

The University management considers it important that those ethical concepts proclaimed in the Code appear in all their decisions and permeate the operation and practice of the entire institution.

1. GENERAL PROVISIONS

1.1. Purpose of the Code of Ethics

Purpose of the Code of Ethics (hereinafter referred to as Code) of the Semmelweis University (hereinafter referred to as University) is to determine and describe ethical norms deemed to be important in university life not included in other university rules, thus facilitating the compliance with behavioural norms for university citizens, the recognition of ethical issues and the resolving of such furthermore the sanctioning of norm infringements.

1.2. Scope of the Code of Ethics

- (1) The personal scope of the Code shall extend to the University citizens Determined in 1.2. (2) as well as persons determined in 1.2. (3), hereinafter collectively referred to as: university citizen.
- (2) The scope of the Code shall extend to the University lecturers, researchers, students, persons in public employment of the University irrespective of their nationality or the form of training as well as the educational language in which they pursue their studies or work.
- (3) Regarding their activity carried out at the University, the scope of the Code shall extend to employees of the University in any position as well as persons performing duties in connection with the maintenance or professional operation of the University based on different legal relationships (e.g. assignment), former students of the University specified in the Functional and Operational Rules (hereinafter SzMSz) as well as persons receiving education in other than student status (e.g. participants of upskilling or training courses).
- (4) Material scope of the Code shall extend to all activities, attitude of the university citizens (irrespective of the location of implementation) with which they act, teach, study, work or do business on behalf or in the interest of the University that has an impact on the social judgment or reputation of the University, as well as to all those actions and behaviours to which law or the internal rules of the University attach adverse legal consequences.

1.3. Principles

- (1) The University deems to be important that
 - a) all manifestations of the institution facilitate the development and maintenance of public trust necessary for promoting efficiency, high quality and appreciation of the operation
 - b) in the use of the available material assets efficiency, economy and effectivity are being observed during the performance of all tasks
 - c) all citizens should be familiar and comply with the ethical principles and rules laid down in the Code
- (2) Compliance with the ethical norms declared in the Code is expected outside study time and working hours.
- (3) Upon establishing the Code, the University expresses to embrace and recommend the pursuance of all those moral values and educational principles as a guideline which effectively motivate university citizens to perform their duties to their best knowledge as well as selflessly serving their closer and wider communities.

1.4. Ethical Offences

Ethical offences are conducted by persons who voluntarily dismiss or ignore the rules, requirements, expectations expressed in the Code or voluntarily implement actions, behaviours prohibited therein.

2. DETAILED PROVISIONS

2.1. GENERAL BEHAVIOURAL RULES

2.1.1. University identity

All university citizens shall comply with the ethical rules to facilitate and hold up the University's reputation and respect.

The university citizens shall be loyal to the University and its organisations and all its citizens. In this context, they shall strive to protect and increase the reputation of the institution, refrain from all declarations and behaviours suitable for damaging the University's prestige.

2.1.2. General ethical expectations regarding work:

- (1) University citizens entrusted with any kind of community function or university position shall perform the committed public duty to its full extent and to the best of their knowledge.
- (2) University citizens may use the services rendered and opportunities provided by the University only in their regulated manner and proper way. The transfer of the services and opportunities mentioned above to persons not entitled to the use of them or the use thereof for personal financial gain – in addition to the violation of the respective rules – shall represent a breach of ethical rules as well.
- (3) The reasonable equitable care of university citizens in university clinics may not be

objected from ethical aspects; their waiting shall be avoided if possible.

2.1.3. Obligation to cooperate:

- (1) University citizens shall act cooperating with others observing the requirements of good faith and respect in performing their duties with the proper conduct due to their position and the organisational rules.
- (2) University citizens shall behave in this quality within and outside the University area in a manner worthy of the University's social respect.

2.1.4. Right to critique

It is a right and moral obligation of the university citizens to make constructive critics and take actions against mistakes, anomalies incurring in the University's life. During the performance of their duties, assertion of their interests as well as the proposal of their recommendations and complaints, university citizens shall comply with the chain of command under the University's organisational and command regulations.

2.1.5. Requirements about providing information

- (1) Notifications and advertisements published by the University shall communicate authentic, accurate and precise information. Publication of misleading, false information, advertisement, notification, or such highlighting the possible competitors (e.g. partner institutions) in a negative way shall be considered as ethically unacceptable. If any university citizen becomes aware of the fact that somebody provides false or misleading information against or on behalf of the University, they are to notify their superior.
- (2) University shall ensure university citizens the necessary information on the institution's everyday life, decisions, provide access to all data generated in connection with the fundamental operation of the University, except for the personal data protected by the law.

2.1.6. Obligation of confidentiality

- (1) All university citizens may only make a statement in issues concerning the University according to the respective internal regulation (including social media). During their public statement they shall act moderately and responsibly and only within the scope of their own competencies.
- (2) Citizens of the University shall keep confidential all information and data concerning personal rights they might receive or become aware of during their university activity. They are to observe the requirements of discretion during their utterances amongst themselves or outbound declarations. The employees of the University shall keep confidential all personal information on students (e.g. Study progress, personal life, political or religious belief, etc.).
- (3) Lecturers and students shall not talk about any issues (e.g. diseases, autopsies, clinical examinations) in front of the public even without a name which can be fearful,

shocking or disgusting for a lay audience, with the exception of public educational lectures, press conferences and press releases.

2.1.7. Obligation to protection

2.1.7.1. Protection of life, health, and physical integrity:

Protection of life, health and physical integrity of university citizens is an ethical expectation both from the University and its citizens.

2.1.7.2. Prohibition of hazard:

- (1) Neither the University nor its citizens shall endanger the life, health, or physical integrity of their own, those of other employees, students, and patients.
- (2) In addition to the compliance with the legal provisions concerning the protection of non-smokers, the smokers and non-smokers shall avoid situations in which they disturb each other.

2.1.7.3. Property protection:

All university citizens shall assume liability for the proper, due use and safe protection of the University's properties. Tools or equipment which does not operate safely or adequately shall be reported to the competent experts.

2.1.8. Obligation to tolerate

2.1.8.1. Toleration of control:

- (1) Citizens and organisational units of the University shall subject themselves to inspections legitimised and certified with the credential of the rector/chancellor/president/dean.
- (2) University citizens shall not hinder the exercise of authorisations included in the university/faculty regulations.

2.1.8.2. Endurance of being subjected to a procedure:

University citizens shall subject themselves to the procedure of the ethical committee if its criteria specified in the law or the university/faculty regulations are fully met.

2.1.9. Obligation of professional conduct

- (1) A moderate and exemplary way of life shall be expected from all university citizens. Accordingly, they shall avoid any situation of life in which the respect and personal dignity of an individual or the University's reputation may be damaged for reasons attributable to them.
- (2) University lecturers, employees, and students shall always bear in mind that they are

- the citizens of the University since this capacity also includes rank and an obligation.
- (3) The cleanliness, neatness and orderliness shall be manifested in the styling and overall appearance of the university citizens.
 - (4) International students shall adapt to the behavioural norms generally accepted in Hungary and the Hungarian universities; they shall strive to become familiar with the customs of our country, learn the Hungarian language as perfect as possible, at least to the extent necessary for their studies (e.g. Communication with patients)

2.2. RESPECT FOR PERSONALITY RIGHTS

- (1) A general expectation of university citizens to behave respectfully with each other and respect the rights and legitimate interests of others.
- (2) University citizens shall adopt the conduct of fellowship and solidarity towards each other unless it conflicts with ethical norms.

2.3. TYPICAL CASES OF VIOLATING ETHICAL RULES CONCERNING OFFICIAL CONTACT

2.3.1. Disrespectful conduct:

All university citizens shall behave in good faith, courteously, objectively and keep up a collegial attitude. Anyone who materially violates the norms of the University concerning dignity and respect towards others commits misconduct and is subject to an ethical procedure.

2.3.2. Discrimination:

Citizens of the University shall not give room for indirect or direct discrimination violating the obligation of equal treatment specified in Act CXXV of 2003 concerning the equal treatment and the facilitation of equal opportunities either among themselves or against outsiders. Anyone who experiences such conduct or becomes aware of such shall be entitled to make a report according to the provisions of this Code.

2.3.3. Offensive (insulting) communication:

University citizens shall endeavour to use a form of address that is collegial and coequal. As a principle, being on familiar/first-name terms shall only be acceptable on mutual basis. In other cases, a formal address shall be appropriate. Patronising, bossy, offensive and disrespectful behaviours violate ethical norms in all cases.

2.3.4. Sexual harassment:

All forms of sexual harassment are prohibited. Sexual harassment means all actions (physical contact, provoking or tacit behaviour), oral comment or written communication in connection with gender or sexuality which the suffering person feels violating concerning his/her gender integrity or privacy and which he/she may feel violating reasonably according to the general belief. Anybody who experiences such either against themselves or their environment shall be entitled to specifically express aversion and make a report according to the provisions of this Code.

2.3.6. Antisocial behaviour:

It is mandatory to refrain from harassing, intimidating others, disturbing the peace, disturbances, damaging others' property in an official relationship and others, in life situations in connection with education and outside the studies (cohabitation in a university dormitory, at entertainment, sports, etc.).

2.3.7. Deliberate rumour:

All public communications, allegations or rumours not supported by evidence which accuse the University or any of its organisational units or the university citizens of ethically objectionable behaviour or the commitment of such action, in particular with regard to the fact that such rumours are suitable for damaging the reputation of the University and its citizens and violating their interests shall be deemed ethical misconduct.

2.3.8. Wilful deceit:

Those university citizens who misdirect or mislead others by right of their official legal status or student relationship to wilfully cause illegitimate disadvantage, obtain illegal advantage commit misconduct and can be subjected to an ethical procedure against them.

2.3.9. Corruption in office, bribe:

- (1) Corrupt behaviour and administration as well as all possible occurrences of bribe, are prohibited. In case of such action of the delinquent in addition to the governing rules of law the initiation of an ethical procedure may be deemed necessary.
- (2) A direct or indirect offer or acceptance of any unauthorised advantage is discreditable conduct of the university citizens and constitutes material misconduct. Consequently, university citizens are to refuse all gifts, or any other benefits offered to them with the intention of influencing their decisions in their quality as university citizens, or the gesture is suitable for this resulting from the circumstances.

2.4. Education related ethical rules

- (1) Lecturers and students shall perform their duties conscientiously to their best knowledge; lecturers shall hold their lectures within the announced time frame.
- (2) Lecturers shall conscientiously prepare for the lectures consultations and start them in time and hold them completely.
- (3) For the order, calm and efficiency of education, the students shall appear in the lectures right on time and prepared taking into account the rules of the department/institution with the equipment and protective clothing specified by the department/institution and participate in them with due attention. During lectures they shall refrain from noisy behaviour, eating, the unreasonable use of cell phones, leaving before time and other forms of disturbances as well as from any other activities not relating to the lecture and endangering its seriousness.
- (4) Lecturers shall only give instructions to the students in the lectures and in connection with their studies. Instructions shall always be objective, civilised and polite. In situations other than education lecturers shall not instruct students.

- (5) Lecturers shall hold the exams accurately at the announced time and place. The students shall be notified of possible changes in due manner and time.
- (6) Students shall appear for the exams at the right time in appropriate (neat, not provoking) clothing with the equipment specified by the department or the examiner.
- (7) The use of any unauthorised tool or help during the exam or mid-year report is prohibited both in the exam room and outside. Breach of this rule constitutes a disciplinary offence which carries the suspension of the exam. In addition to the above a procedure may also be initiated against the examinee for misconduct.
- (8) In case of a written exam or an inter-university competition any unauthorized access to or communication of the exam/competition questions or falsification of any of the related documents shall be not only a disciplinary offence but also misconduct.
- (9) It is prohibited to deceive the examiner regarding the identity of the examinee (taking exams on behalf of others, submitting papers or essays of others as their own). The examiner or the proctor shall check the identity of the examinee based on the registration book or another suitable identity document.
- (10) It is prohibited to offer or accept material or other reward or benefit to or from a fellow student, lecturer, or other university staff to obtain a real or implied exam advantage (not subject to performance).
- (11) The examinee shall not be abashed or humiliated. Public humiliation and any form of personal comment, mockery, threat, and intimidation shall be impermissible.
- (12) Any alteration of a determined and recorded grade/classification is a serious irregularity and ethically unacceptable except for an apparent administrative mistake.
- (13) It is not desirable that the examiner stays with the examinee in private.
- (14) During examinations in a foreign language, the seamlessness of communication shall be ensured. During the examination lecturers and examinees shall not talk to each other in a language which is not understood by any of the participants. If the lecturer intends to discuss an issue which is no concern of the student, they may discuss it after the student has left, in their absence.
- (15) Those not able to fulfil their obligations contained herein because of an unforeseeable irresistible force beyond their control (force majeure) do not commit misconduct.
- (16) It is prohibited to adopt ideas, scientific results, and texts of others without quotation of their source and indication as their own (plagiarism) regarding all university citizens.

2.5. Rules for handling conflict of interest and other conflict situations

- (1) Special attention is drawn to managing conflict of interest situations arising during the operation of the University and the cultivated and elegant solution thereof. A conflict of interest arises if a university citizen or a group of university citizens may provide unauthorised benefit for themselves or others directly or indirectly through their competence or inside knowledge or may create an adverse situation for the University.
- (2) All university citizens appointed to office or a decision-making position shall disclose before the appointing panel if the possibility of a conflict of interest is likely to arise during the appointment period in connection with their decisions due to their financial or other interests. The concerned parties may prorogue the incompatibility or conflict

of interest already existing by resigning or by refraining from participating in decision-making processes in unique cases.

- (3) Lecturers are not to misuse their position during their interaction with students.
- (4) Provision or anticipation of any illegal – not subject to performance – study or exam benefit (advantage), positive or negative favouritism, pressure shall be prohibited irrespective of the fact whether they occur in exchange for financial or other advantages and benefits or without any compensation.
- (5) A conflict of interest arises if a lecturer examines their relative or friend or anybody else in a friendly or opposing relationship to them. Another conflict of interest arises if the lecturer established a close private relationship with the student they taught or examined outside the workplace and not in connection with the education.
- (6) Lecturers shall refrain from involving the students in their professional or work-related debate or other conflicts, particularly for pressure. It is not desirable that persons outside the University become part of these debates, except for the activity of the trade unions.
- (7) It is desirable for the students to resolve their conflicts and conflicts of interest with each other in a civilised and amicable way without the unilateral involvement of lecturers by either party. It should not be criticised that parties to the dispute approvingly and collectively request the help or advice of lecturers whose opinion they both accept.

3. PROCEEDINGS

3.1. The judgement of ethical complaints

- (1) Implementation of proceedings to be conducted in ethical complaints the committees inspecting and judging ethical issues formed by the Senate: the Ethical and Disciplinary Committee of the Department (hereinafter referred to as KEFB), the University's Ethical Committee and the Ethical and Disciplinary Committee formed by the Doctoral Council (hereinafter referred to as DEFB) and the University's Committee of Appeals shall be entitled.
- (2) KEFB is a committee exercising powers specified in laws and the university regulation in regarding student issues operating in specific Departments (with their own order of administration), the composition, duties and powers of which shall be determined by the Senate.
- (3) DEFB is a committee exercising powers specified in laws and the university regulation regarding the doctoral candidates participating in PhD training; the composition duties and powers of which shall be determined by the Doctoral Council.
- (4) The University's Committee of Appeals is a three-person body composing of delegates by the rector, the chancellor and by the head of the Clinical Centre that proceeds at second instance in cases decided upon in first instance by the University's Ethical Committee. Head of the University's Committee of Appeals is the member delegated by the rector.
- (5) The University's Ethical Committee is a permanent committee with powers extending to the whole University formed by the Senate which composes of a president and permanent as well as temporary members.

- (6) The Rector makes a recommendation for the person of the President of the University's Ethical Committee, who is then elected by the Senate.
- (7) The University's Ethical Committee consists of fourteen permanent members. From among the permanent members, a member shall be elected from the candidates of the Faculty of Medicine, the Faculty of Health Science, the Faculty of Dentistry, the Faculty of Pharmacy, the Faculty of Public Health Services, András Pető Faculty, Doctoral Council, Chancellor, the President of the Clinical Centre, the Public Employment Council, the Doctoral Government of Semmelweis University as well as the Students' Union.
- (8) The President is to invite temporary members to participate in the work of the University's Ethical Committee in specific cases. Considering the nature of the misconduct being the subject matter of the proceedings, the temporary members of the committee may be persons with appropriate professional knowledge (e.g. medical doctor, solicitor, psychologist, etc.). In case of ethical proceedings initiated against an employee, a representative of the Directorate General of Legal and Administrative Affairs as well as the Human Resources Department have to participate as temporary committee members.
- (9) By the composition of the University's Ethical Committee, it is to be ensured that both the groups (categories) of the defendant and the complainant are represented.
- (10) In case the decision-making of the University's Ethical Committee results in the equality of votes the President of the committee has the deciding vote.
- (11) In ethical complaints against a student, KEFB shall be entitled to conduct the proceedings at first instance, while in ethical complaints concerning doctoral candidates, DEFB is entitled to conduct the proceedings at first instance. University's Ethical Committee as the committee proceeding at second instance shall be entitled to judge appeals against the decisions of KEFB and DEFB.
- (12) In cases where the jurisdiction of a KEFB cannot be established to proceed at first instance, the University's Ethical Committee is entitled to appoint the committee with powers and competence to judge the matter at first instance considering all circumstances of the case.
- (13) The University's Ethical Committee shall proceed at first instance in all cases subject to this regulation not concerning the students and doctoral candidates. The University's Committee of Appeals shall judge the appeals against the decisions made by the Ethical Committee as the committee proceeding at first instance.
- (14) Persons excluded from judgment of ethical complaints are as follows:
 - a) those affected by the case,
 - b) those involved in the proceedings (defendant),
 - c) the offended party in the examined action,
 - d) any close relative of persons indicated under points a)-c),
 - e) from whom the objective judgment of the case cannot be expected.
- (15) In cases where the University's Ethical Committee proceeds as second-instance committee and cases in which the University's Committee of Appeal proceeds, the following persons are excluded from the judgment:
 - a) who took the contested decision or failed to take a decision,
 - b) close relative of persons indicated under point a)
 - c) from whom the objective judgment of the case cannot be expected.

3.2. Reporting the violation of ethical norms

- (1) Violation of ethical norms can be reported by the offended party or anyone who becomes aware of such misconduct (hereinafter referred to as declarer) who is ready and willing to participate in certifying the credibility of their report by revealing their name in front of the proceeding committee.
- (2) For the fairness of proceedings, anonymous notifications will be omitted. Anonymous notifications are usually not ethical, but the declarer may request not to disclose their name and to manage their data closely if they can fear for good reason that they might suffer harm due to the reporting.
- (3) Misconduct may be reported within 30 days on learning of the offence as defined in Paragraph (6).
- (4) There is no possibility to conduct ethical proceedings if more than 1 year passed from the date of the alleged fact. In case of continuously committed misconduct, the date of the most recent action shall prevail in terms of timeframe but during the judgment of the action previous related continuous actions can also be considered.
- (5) The report shall be as concrete as possible: the name of the person/persons committing misconduct, the place and date of the offence and the available evidence (e.g. witnesses, material evidence, etc.) shall be indicated.
- (6) Reports can be made orally or in writing to the Heads of the University and the Faculties, the heads of the organisational units, the students' representation bodies and the public employment trade unions operating at the University.
- (7) Oral reports shall be recorded by minutes according to the template available on the site of the Directorate General of Legal and Administrative Affairs published under the Register of Templates (Formanyomtatványtár) and be signed by the declarer as well as by the recipient of the report and the registrar.
- (8) The report shall be examined by the recipient of the report whether the reported case falls within the scope of the regulation concerning the policy of the management of affairs violating organisational integrity. If so, this regulation is to be applied and the recipient shall forward the available documents ex officio to the organisational unit/head concerned within 3 working days.
- (9) If the reported case does not fall within the regulation concerning the policy of the management of affairs violating organisational integrity – the recipient shall send the report and the submitted evidence to the ethical committee competent to proceed in the case without delay, within 3 business days at the latest.

3.3. PROCEDURE OF THE INSPECTION AND JUDGING BODIES IN CASES OF MISCONDUCT

- (1) The committee inspecting and judging ethical issues shall inspect all complaints and reports regarding ethical issues, make a decision on the inspection and inform the concerned parties in writing within 60 days from the date of receipt by the president of the committee.
- (2) The report shall be studied within 8 working days by the president of the committee or by the committee member appointed by him/her as to whether it includes any facts underlying additional proceedings (e.g. criminal prosecution, disciplinary proceedings, student self-

government control board proceedings or that of other bodies, or proceedings under the rules of the management of actions violating the organisational integrity); in which case the complaint shall be rejected under notification of the declarer about the necessary initiation of a different procedure; or else initiates the appropriate procedure in accordance with the rules for the management of events violating organisational integrity. If there is no need to reject the complaint without the need to initiate another procedure, the chairman or a member designated by him shall examine the complaint to see if the allegations (the alleged infringement and the reasons for it) are suitable for initiating committee proceedings.

- (3) Applications which do not indicate a specific breach of ethics or which do not indicate evidence of such rejection shall be rejected in writing by the chairman of the committee, with the invitation that the notifier may re-submit his / her application once and for all the deficiencies indicated in the rejection.
- (4) If there is no reason to reject the notification, the chair of the committee shall, within 8 working days of receipt of the complaint, inform the complainant of the initiation of the procedure by sending a copy of the complaint and invite the complainant and the defendant to appear. The meeting of the committee shall be scheduled within 30 days of receipt of the notification.
- (5) The proceeding committee may require the cooperation of an uninterested and independent expert if such a special issue must be clarified about which no member of the committee has sufficient expertise to make a decision. In this case, the president shall order the hearing of an external expert and the preparation of an expertise. Primary persons to be called in as experts are the employees of the Semmelweis University. Experts are not entitled to a remuneration in ethical proceedings.
- (6) In their submission, the notifier may nominate witnesses and other victims, whose hearing shall be ordered by the chairman of the committee in the manner set forth in paragraph (4).
- (7) The complainant also has the right to mark witnesses or report other evidence to the chairman of the committee until the 3rd working day before the scheduled meeting. In the event of failure to meet the deadline, the complainant shall arrange for the witness to appear at the committee meeting.
- (8) At its meeting, the committee shall, on a proposal from the chairman or a member of the committee invited to present the case, assess the available evidence by comparing the content of the report and the statement of the complainant with the testimony of witnesses and other victims. with other evidence.
- (9) The committee shall hear witnesses and victims individually, in the absence of each other. In case of a conflict, the chairman of the committee may order the confrontation of witnesses and other victims, as well as other evidence, with the complainant or the complainant.
- (10) For the straightness of public life at university, all university citizens are obliged to cooperate inspecting and proceeding ethical issues, appear upon request before a committee and communicate all information in their possession – apart from the data against themselves – in connection with the subject matter of the proceedings they got.
- (11) After examining the report and conducting the hearings, the committee initiates conciliation if this proves sufficient in the relationship between the offended party and the defendant, particularly in the light of the statement made by the defendant.

- (12) If the conciliation is unsuccessful, the committee shall, in its decision, state its position, indicating and assessing the evidence considered in establishing the facts:
- a) whether there has been a breach of ethics,
 - b) the breach was committed by the defendant and
 - c) what action or sanctions it considers appropriate.

3.4. *SANCTIONS FOR THE VIOLATION OF ETHICAL NORMS*

- (1) In case of a suspicion not supported by sufficient evidence, no measure shall be taken or applied without legal consequence which may cause disadvantage to the defendant.
- (2) The committee proceeding in the case may decide on the application of the following legal consequences in the subject matter of misconduct indicated in the reporting:
 - a) terminates the proceedings, if no breach of ethics has occurred or the identity of the perpetrator cannot be established
 - b) establishes the occurrence of misconduct and notifies the defendant to refrain in future from any violation of the provisions of the Code or
 - c) establishes the occurrence of misconduct and orders the publication of the misconduct (without a reference to any personal data) on the central website of the University, or
 - d) in addition to establishing an ethical violation, obliges the defendant to provide non-material satisfaction corresponding to the gravity of the violation (eg: apology, publication of a correction by removing the published violation statement) or
 - e) initiates a disciplinary procedure in the subject matter not concerning public employees if a suspicion for disciplinary offence incurs, or
 - f) if there is a need for additional proceedings in the University in the subject matter of the misconduct underlying the procedure under the rules for the management of events violating the organisational integrity, the commission requires those entitled to conduct the proceedings to take the necessary measures
- (3) The decision shall be communicated orally to the defendant and, if personally present, to the applicant at the meeting, and shall be recorded in writing within 8 working days, using the model form on the website of the Directorate General of Legal and Administrative Affairs, and the written decision must be communicated via the route indicated by the applicant (by e-mail or by return receipt by post or in a sealed envelope marked to be delivered to their own hands to the university workplace address).
- (4) The decision of the committee may be appealed against by the complainant and the defendant. If those entitled do not exercise their right to appeal against the committee's decision, the provisions of the decision shall become enforceable on the day following the expiry of the deadline for appeal.
- (5) If anyone of the concerned parties files an appeal against the decision of the committee within the time limit the appeal shall have suspensory effect.

3.5. *Remedies*

- (1) It is possible to appeal against the decision, measures, the omission of the measures by A

KEFB and DEFB to the University's Ethical Committee. In cases where the University's Ethical Committee proceeds at first instance, the University's Committee of Appeal can be approached.

- (2) An appeal can be lodged by the following persons:
 - a) the university citizen subject to proceedings (defendant), or a representant by power of attorney and
 - b) the declarer, or a representant by power of attorney.
- (3) The appeal shall be lodged in writing within 15 days of the notification of the written decision. The application shall state the reasons based on which the applicant requests for the review of the decision at first instance.
- (4) The committee may call on the services of an uninterested and independent legal expert to examine the application.
- (5) The examiner of an appeal shall not be
 - a) who took the contested decision or failed to take a decision,
 - b) close relative of persons indicated under point a)
 - c) from whom the objective judgment of the case cannot be expected.
- (6) The University Ethics Committee and the University Appeals Committee may take the following decisions at second instance:
 - a) the appeal is rejected if belated or incomplete (no justification needed)
 - b) instructs the defaulting party to take a decision
 - c) declare that the decision at first instance is well founded and uphold it
 - d) if it finds that the decision at first instance is unfounded
 - da) da) it shall repeal and terminate the proceedings
 - db) db) repeals it and requests the committee proceeded at first instance to conduct a new procedure
 - dc) dc) changes the decision made at first instance.
- (7) There is no possibility for further legal appeal against the decision of the second instance, in particular judicial review

4. ANNEXES

1. Annex no: Audit trail

Annex no.1: Audit trail

	steps of the proceedings	steps of preparation	levels of responsibility					document resulting from the proceedings
			task owned by:	reviewed by:	mode of review	approved by:	mode of approval	
1	Submission of a complaint / notification due to a breach of ethics	Examination of a written / oral complaint / notification, recording of an oral complaint	University/heads of faculties/heads of organisational units/students' council/advocacy of civil servants		Examination of the application	n/a	n/a	Transfer of a document generated because of the complaint/report to the competent body of procedure
2	Examination of the application	the report shall be examined by the recipient to establish if the reported case falls within the scope of the rules of the management of events violating organisational integrity	Recipient of the report: University/heads of faculties/heads of organisational units/students' council/advocacy of civil servants	n/a	n/a	University/heads of faculties/heads of organisational units/students' council/advocacy of civil servants	Allocation of the reported case under the rules of the management of events violating organisational integrity	Transfer of the report and the available documents and evidence to the competent manager to conduct procedure based on the rules for the management of events violating organisational

	steps of the	steps of	levels of responsibility					document
								integrity
3	A measure of the committee proceeding in ethical issues	Examination of the complaint/report: the necessity to initiate another procedure, does the content of the complaint contain a genuine violation of the norms, the presence of evidence	President of the competent ethical committee or the member appointed by the president	n/a	n/a	President of the competent committee	Decision	Convening of the committee meeting/rejecting the request for rectification/document of rejection without examination
4	Convening of the committee meeting	Examination of evidence, available documents; hearing of the defendant, complainer and witnesses; initiating conciliation if the breach of ethics does not constitute a fact defined by law and it proves to be sufficient in the relationship of the offended party and the offender	Committee competent to procedure	n/a	n/a	Committee competent to procedure	Decision	Decision in the case of misconduct
5	Judgement of appeals against the	Examination of the written submission and the deeds of the	University Ethical Commission as second instance	n/a	Examination of the appeal, the first instance	n/a	Decision	Second instance committee decision on the

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	steps of the	steps of	levels of responsibility					document
	decision/omission of the body proceeding in first instance	first-instance procedure	body University Commission of Appeals		decision and the first-instance procedure			appeal