



# Code of Ethics

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Contents

- 1. GENERAL PROVISIONS.....3
  - 1.1. Purpose of the Code of Ethics ..... 3
  - 1.2. Scope of the Code of Ethics ..... 3
  - 1.3. Principles.....4
  - 1.4. Ethical misconduct ..... 4
- 2. DETAILED PROVISIONS.....4
  - 2.1. General rules of conduct .....4
    - 2.1.1. University identity: ..... 4
    - 2.1.2. General ethical requirements in the workplace: ..... 5
    - 2.1.3. Duty of cooperation: ..... 5
    - 2.1.4. Eligibility for judging ..... 5
    - 2.1.5. Expectations regarding the provision of information ..... 5
    - 2.1.6. Confidentiality obligations ..... 5
    - 2.1.7. Duty to protect ..... 6
    - 2.1.8. Obligation to tolerate ..... 6
    - 2.1.9. The duty of fair conduct ..... 6
  - 2.2. Respect for privacy rights ..... 7
  - 2.3. Typical cases of breaches of ethical standards in official dealings.....7
    - 2.3.1. Disrespectful behavior: ..... 7
    - 2.3.2. Discrimination: ..... 7
    - 2.3.3. Abusive (insulting) contact:.....7
    - 2.3.4. Sexual harassment:..... 8
    - 2.3.5. Antisocial behavior:..... 8
    - 2.3.6. Deliberate rumors: ..... 8
    - 2.3.7. Misrepresentation: ..... 8
    - 2.3.8. Corruption in office, bribery:..... 8
  - 2.4. Ethical rules concerning education ..... 8
  - 2.5. Rules on conflict of interest and conflict management ..... 10
- 3. Procedural Part ..... 10
  - 3.1. Forum for dealing with ethical complaints ..... 11
  - 3.2. Reporting a breach of ethical standards ..... 12
  - 3.3. Procedures of the bodies investigating and judging ethical misconduct..... 13
  - 3.4. Sanctions for breaching of ethical standards..... 14
  - 3.5. Legal remedies ..... 15
- 4. Annexes ..... 16

## PREAMBLE

Semmelweis University has a special responsibility to uphold and enforce ethical conduct and institutional practice standards with its citizens. These standards are stricter and have higher expectations than the standards set by law and university regulations as a minimum for compliance with the law.

The management of Semmelweis University considers it essential that the ethical principles expressed in the Code of Ethics are reflected in all its decisions and permeate the operations and practices of the institution.

## 1. GENERAL PROVISIONS

### 1.1. Purpose of the Code of Ethics

The aim of the Code of Ethics (hereinafter referred to as the Code) of Semmelweis University (hereinafter referred to as the University) is to define and describe the ethical standards considered important in university life not contained in the university regulations and, thus, to facilitate compliance with the standards of conduct, the recognition of ethical problems that arise, their resolution and the sanctioning of behavior that violates the standards.

### 1.2. Scope of the Code of Ethics

- (1) The personal scope of the Code covers the citizens of the University as defined in paragraph 1.2 (2) and the persons defined in paragraph 1.2 (3) hereinafter collectively referred to as "University citizens."
- (2) The scope of the Code shall extend to the University's lecturers, researchers, persons employed by the University in a health service or employment relationship (hereinafter referred to collectively as "employed or engaged"), students, irrespective of their nationality and of the form of training or language of instruction in which they study or work.
- (3) Concerning their activities at the University, the scope of the Code shall also apply to employees of the University in any position, as well as to persons performing their duties in connection with the maintenance and professional operation of the University based on other legal relationships (e.g., assignments), former students of the University in the cases specified in the Rules of Organisation and Operation, and persons who are not students of the University but are receiving education (e.g., participating in continuing education).
- (4) The scope of the Code shall extend to all activities and conduct of University citizens (regardless of the place where they are carried out), acting, teaching, learning, working, or conducting business on behalf of, in the interests of, or on behalf of the University, which affect the social image and reputation of the University, and to all acts and conduct which are subject to adverse legal consequences under the law or the University's internal regulations.

- (5) <sup>1</sup>In professional-ethical proceedings against physicians, dentists and health care workers with basic qualifications other than in medicine and health sciences, but who have obtained a higher professional qualification in health care, the County Ethics Council, established on a case-by-case basis from the members of the County Ethics Committee of the competent regional Health Science Council, shall act in the first instance, in accordance with the provisions of Government Decree No. 318/2023 (17 July).

### 1.3. Principles

- (1) The University considers it essential that
- a) all the institution's activities should contribute to the development and maintenance of the trust and confidence necessary for effective, high-quality, and appreciative operation;
  - b) to use the available resources in the performance of its tasks with a view to efficiency, economy, and effectiveness;
  - c) all citizens are familiar with and comply with the ethical principles and rules laid down in the Code.
- (2) The observance of the ethical standards declared in the Code is expected outside study and working hours.
- (3) The University expresses its commitment to the Code of Ethics and recommends as a benchmark all the moral values and educational principles which effectively motivate the citizens of the University to perform their duties to the best of their ability and to serve the broader community selflessly.

### 1.4. Ethical misconduct

Any person who intentionally fails to comply with or ignores the rules, expectations, and requirements set out in the Code or intentionally carries out acts or behavior prohibited by the Code commits an ethical offense.

## 2. DETAILED PROVISIONS

### 2.1. General rules of conduct

#### 2.1.1. University identity:

- (1) All University citizens shall comply with the Code of Ethics to promote the University's prestige and esteem.
- (2) A citizen of the University shall show loyalty to the University, its organizations, and all its citizens. In this context, he shall endeavor to preserve and enhance the public image of the institution and shall refrain from any manifestation or conduct likely to detract from the University's prestige.

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<sup>1</sup> Established by Senate Resolution No. 113/2023 (13 December) Article 10, effective from 21 December 2023

2.1.2. General ethical requirements in the workplace

- (1) University citizens entrusted with any community function or University office shall perform the public duty undertaken to the best of their ability.
- (2) University citizens shall use the services and facilities provided by the University only in a regulated manner and for the intended purpose. In addition to infringing the relevant rules, the cession or use of these services by unauthorized persons for gain constitutes an ethical offense.
- (3) It is not ethically unacceptable to provide unscheduled and reasonable care to university citizens in university clinics, and their waiting should be avoided as far as possible.

2.1.3. Duty of cooperation:

- (1) University citizens shall cooperate in performing their duties following good faith and fairness requirements. They shall conduct themselves consistently with their job responsibilities and organizational policy.
- (2) Citizens of the University shall conduct themselves on and off University premises in a manner that benefits their status and the University's social standing.

2.1.4. Eligibility for judging

Citizens of the University have the right and the moral obligation to offer constructive criticism and to take action against errors and maladministration in the life of the University. In the performance of their duties, in the promotion of their interests, and in the submission of suggestions and complaints, University citizens, must respect the University's organizational and disciplinary procedures.

2.1.5. Expectations regarding the provision of information

- (1) All communications and advertisements published by the University shall provide credible, accurate, and precise information. It is ethically unacceptable to publish misleading, false information, advertising, or communications that portray potential competitors (e.g., partner institutions, affiliated institutions) in an unfavorable light. If a University citizen becomes aware that someone is spreading false or misleading information of this nature against the University or on behalf of the University, he/she shall report it to his/her superior.
- (2) The University shall provide University citizens with the necessary information on the institution's daily life and decisions. It shall make all data generated to them in connection with the essential functioning of the University, except for personal data protected by law.

2.1.6. Confidentiality obligations

- (1) In matters concerning the University, all University citizens shall make statements to the public (including social media) following the relevant internal regulations and act reasonably and responsibly within the scope of their competence.

- (2) Citizens of the University shall keep confidential all information and data concerning their rights of privacy acquired during their university activities. They shall observe discretion requirements in their dealings with each other and the outside world. University employees must also keep personal information about students (e.g., academic records, personal life, political or religious beliefs, etc.).
- (3) Except in the case of public lectures, press conferences, and press releases, lecturers and students shall not speak publicly, even without mentioning their names, about matters (e.g., diseases, autopsies, clinical trials) which may alarm, offend or disgust a non-expert audience.

#### 2.1.7. Duty to protect

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

The University and its citizens have an ethical obligation to protect and safeguard the life, health, and physical integrity of University citizens.

##### 2.1.7.2. Prohibition of endangerment:

- (1) Neither the University nor its citizens shall endanger the life, health, or physical integrity of themselves, their staff, students, or patients.
- (2) In addition to fully complying with the legislation on the protection of non-smokers, smokers and non-smokers shall avoid mutually disruptive situations concerning smoking with mutual tact.

##### 2.1.7.3. Duty to protect property:

All University citizens are responsible for the proper use, care, and safe custody of University property. All property and equipment shall be used and maintained safely and responsibly.

#### 2.1.8. Obligation to tolerate

##### 2.1.8.1. Tolerating control:

- (1) Citizens and departments of the University must submit to inspections legitimized and certified by the Rector/Chancellor/President/Dean's credentials.
- (2) University citizens shall not obstruct the exercise of the powers provided in the University/departmental regulations.

##### 2.1.8.2. Tolerance of being subjected to proceedings:

University citizens must submit to the Ethics Committee procedure if its conditions are fully met by law or university/faculty regulations.

#### 2.1.9. The duty of fair conduct

- (1) University citizens are expected to conduct themselves in moderation and exemplary

manner. Accordingly, they shall avoid any situation in life in which their esteem and personal dignity or the University's good reputation may be compromised through no fault of their own.

- (2) The University's teachers, staff, and students shall not forget that they are citizens of the University in their studies or any other situation since this quality is both a rank and a duty.
- (3) The dress and appearance of citizens of the University shall reflect the cleanliness, neatness, and orderliness, befitting their status as such.
- (4) Students of foreign citizenship need to adapt to the generally accepted standards of conduct in Hungary and Hungarian universities and must endeavor to learn the customs of our country to the extent reasonably expected of them and to master the Hungarian language as perfectly as possible, at least to the extent necessary for the uninterrupted continuation of their studies (e.g., communication with patients).

## 2.2. Respect for privacy rights

- (1) All university citizens are generally expected to show mutual respect and respect for each other's rights and legitimate interests.
- (2) University citizens shall show collegiality and solidarity towards each other as long as this does not conflict with ethical standards.

## 2.3. Typical cases of breaches of ethical standards in official dealings

### 2.3.1. Disrespectful behaviour:

All university citizens must conduct themselves courteously, objectively, and collegially. Any person who violates the standards of respect for others who come into contact with him/her at the University is guilty of ethical misconduct and may be subject to ethics proceedings.

### 2.3.2. Discrimination:

University citizens shall not engage in indirect or direct discrimination, either among themselves or towards outsiders, in violation of the requirement of equal treatment as defined in Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities. Anyone who experiences or becomes aware of such a phenomenon has the right to complain about the provisions of the Code.

### 2.3.3. Abusive (insulting) contact:

University citizens should endeavor to ensure that address is collegial and equitable. As a guideline, it should be understood that the use of the first name is only appropriate on the basis of reciprocity. In other cases, a polite address should be used. In all cases, condescending, superior, insulting, or disrespectful forms of address are a breach of ethics.

2.3.4. Sexual harassment:

All forms of sexual harassment are prohibited. Sexual harassment is defined as any act (physical touching, provocation, intimation), verbal comment, or written communication relating to sex or gender which the person who is subjected to it feels and has reason to believe that they have reason to feel, is offensive to their sexual integrity or intimacy. Anyone who experiences such behavior towards themselves or those around them has the right to express their disapproval positively and lodge a complaint under the provisions of this Code.

2.3.5. Antisocial behavior:

In both official and non-official relationships, in educational and extracurricular life situations (dormitory living, entertainment, sports, etc.), you must refrain from harassing, intimidating, disturbing the peace, disorderly conduct, and damaging the property of others.

2.3.6. Deliberate rumors:

Any unsubstantiated public communication or rumour that implicates the University or any of its departments or University citizens in ethically reprehensible conduct or in the commission of such conduct, in particular where such rumour is likely to damage the reputation and interests of the University and its citizens, shall be considered an ethical offence.

2.3.7. Misrepresentation:

A University citizen who, under their official status or student status, misleads any other person or maintains an error through a representation of false facts to cause unlawful harm or to obtain unlawful advantage commits an ethical offense and is liable to initiate ethics proceedings against them.

2.3.8. Corruption in office, bribery:

- (1) Corrupt conduct, administration, and all forms of bribery are prohibited. In addition to the applicable rules of law, ethics proceedings may be initiated against the offender for such conduct.
- (2) Any unjustified offer, acceptance, or solicitation of an undue advantage, directly or indirectly, is unbecoming of a university citizen and is a serious ethical offense. Consequently, a university citizen shall refuse any gift or other benefit offered to them to influence their decisions in their capacity as a university citizen, or which, in this case, is a gesture that is likely to do so.

2.4. Ethical rules concerning education



- (1) Instructors and students shall perform their duties conscientiously to the best of their ability, and instructors shall keep their classes on time within the time limits announced.
- (2) Instructors shall be obliged to prepare conscientiously, start punctually and complete all timetabled sessions and consultations.
- (3) To ensure the order, tranquillity, and effectiveness of teaching, students shall attend lessons and practicals punctually and prepared, wearing the equipment and protective clothing prescribed by the department/institute, and shall participate in them with due attention. During lessons, students must refrain from being loud, eating, using a mobile phone without justification, leaving early and other forms of disorderly conduct, as well as from activities not related to the lesson that jeopardise its seriousness.
- (4) The instructor may only give instructions to the student during class sessions and in connection with studies. The instruction must be objective, civilized, and polite. In other situations, the instructor may not give instructions to the student.
- (5) The instructor shall conduct the examinations punctually, at the time and place announced. Students shall be informed of any changes in a timely and appropriate manner.
- (6) Students shall attend examinations in correct and appropriate (neat, not provocative) attire, with the equipment prescribed by the department or the examiner.
- (7) No unauthorized aids or assistance shall be used during the examination or mid-year reports, either inside or outside the examination room. Violation of this rule is a disciplinary offense and will result in suspension from the examination.
- (8) In the case of written examinations and academic competitions, the prior unauthorized acquisition, disclosure, distribution, or falsification of examination questions, items, or documents is a disciplinary offense.
- (9) It is forbidden for an examiner to deceive a candidate's identity (taking an examination in the name of another person or submitting another's work or paper as their own). The examiner or the exam invigilator must verify the candidate's identity based on the examination book or other suitable identification document.
- (10) It is prohibited, and an offense under 2.3.8, to offer or accept any financial or other benefits from a fellow student, tutor, or other members of staff in order to obtain an actual or perceived (non-performance-related) examination advantage.
- (11) An examinee shall not be placed in an undignified or humiliating situation. Public humiliation, personal remarks unrelated to the subject matter, mockery, threats, and intimidation are not permitted.
- (12) It is seriously irregular and ethically unacceptable to change an established and recorded grade/mark except for apparent administrative error.
- (13) The examining instructor should not remain alone with the examinee during the examination.
- (14) Uninterrupted communication must be ensured in examinations in a foreign language. During the examination, instructors and examinees shall not converse with each other in a language that is not understood by any of the participants. If the

instructors wish to discuss a question not relevant to the student taking the examination, they may do so in the absence of the student after the student has left the examination.

- (15) No breach of ethical standards shall be committed by a person who, through no fault of his/her own, cannot fulfill their obligations under this section due to an unavoidable impediment or unforeseeable compelling circumstance (force majeure).
- (16) The University shall prohibit all its citizens from adopting the ideas, scientific results, and texts of others without acknowledging the source and passing them off as their own (plagiarism).

## 2.5. Rules on conflict of interest and conflict management

- (1) The University shall pay particular attention to managing conflicts of interest that arise in its activities and their resolution in a civilized manner. A conflict of interest shall also arise where a member of the University or a group of members of the University may, directly or indirectly, by their powers or insider knowledge, confer an undue advantage on himself or herself or those around him or her, or create a disadvantage for the University.
- (2) Every university citizen, elected or appointed to an office or decision-making position, shall disclose to the forums which elected him or her any foreseeable conflict of interest that may arise in connection with his or her decisions in the course of their activities in this capacity, whether financial or otherwise. The conflict of interest or conflict of interest already established may be eliminated by the person concerned resigning or, in individual cases, by abstaining from taking part in the decision.
- (3) The lecturer may not abuse their position in their dealings with students.
- (4) The granting of any unlawful - not performance-related - study or examination advantages (benefits), the prospect of such advantages, positive or negative discrimination, or pressure, whether in return for financial or other benefits (advantages) or without any consideration, is prohibited.
- (5) Conflict of interest exists if the instructor examines a student related to him/her by family or friendship or for any reason in conflict with him/her. It shall also be a conflict of interest if the instructor has established a close, non-work-related, and non-educational private relationship with the student he/she is instructing or examining.
- (6) Instructors shall refrain from involving students in settlement of professional or work-related disputes or other conflicts between themselves, particularly to exert pressure. Persons outside the University should not become involved in such disputes except through the activities of representative bodies.
- (7) Conflicts of interest between students should be settled civilized and peaceful, without any unilateral involvement of academics on either side. It is not objectionable for the parties to a dispute to seek, by mutual agreement and together, the assistance or advice of a tutor whose opinion they both accept.

## 3. PROCEDURAL PART

### 3.1. Forum for dealing with ethics complaints

- (1) The committees established by the Senate to investigate and adjudicate ethical complaints are the Faculty Ethics and Discipline Committee (hereinafter referred to as the KEFB), the University Ethics Committee; and the Ethics and Discipline Committee established by the University Doctoral Council (hereinafter referred to as the DEFB) and the University Appeals Committee.
- (2) The DEFB shall be a committee (with its own rules of procedure) of each faculty exercising the powers defined by law and university regulations concerning student affairs, whose composition the Senate shall determine duties, activities, and powers.
- (3) The DEFB shall be a committee exercising the competencies defined by law and university regulations in connection with the affairs of doctoral students and doctoral candidates participating in doctoral studies, the composition, duties, activities, and competencies of which shall be determined by the University Doctoral Council.
- (4) The University Appeals Committee shall consist of 3 members delegated by the Rector, the Chancellor, and the President of the Clinical Centre and shall act as a second instance in cases where the decision was taken by the University Ethics Committee in the first instance. A member delegated by the Rector chairs the University Appeals Committee.
- (5) The University Ethics Committee shall be a standing committee established by the Senate with University-wide powers, consisting of a chairperson and permanent and ad hoc members.
- (6) The President of the University Ethics Committee shall be proposed by the Rector and elected by the Senate.
- (7) The University Ethics Committee shall have fourteen permanent members. One member of the permanent members shall be elected from among the faculty members of the Faculty of General Medicine, the Faculty of Health Sciences, the Faculty of Dentistry, the Faculty of Pharmacy, the Faculty of Public Health, and the Faculty of András Pető, one member from among the members of the University Doctoral Council, the Chancellor, the President of the Clinical Centre, the Staff Council, the candidates of the Doctoral Students' Union of Semmelweis University, and three members from among the candidates of the Student Union.
- (8) The Chairperson of the University Ethics Committee shall invite the ad hoc members to participate in the work of the Committee in the specific case. The ad hoc members of the Committee may be persons with appropriate professional expertise (e.g., doctor, lawyer, psychologist, etc.), taking into account the nature of the ethical misconduct which is the subject of the proceedings. In the case of ethics proceedings against an employee, in addition to the permanent members, the participation of a representative of DG Legal and Administration and DG Human Resources Management as ad hoc members, as well as the Data Protection Officer, shall be mandatory.
- (9) The composition of the University Ethics Committee shall ensure that both the group (category) of the person complained against and the group (category) of the complainant of ethical misconduct are represented.
- (10) In the event of a tie in the voting of the University Ethics Committee, the Chairperson of

the Committee shall have the casting vote.

- (11) In the case of ethical complaints against students, the KEFB shall have the right to conduct the proceedings in the first instance. In the case of ethical complaints against doctoral students and doctoral candidates, the DEFB shall have the right to conduct the proceedings in the first instance. The University Ethics Committee, as the Committee of the second instance, shall have the right to decide on appeals against the decisions of the KEFB and the University Ethics Committee.
- (12) In the case of an ethics violation where it is not possible to determine which KEFB department is competent to act in the first instance, the University Ethics Committee shall be entitled to designate the Committee with the competence and jurisdiction to hear the case, taking into account all the circumstances of the case.
- (13) The University Ethics Committee shall act in the first instance in all matters not concerning students, doctoral candidates, and doctoral candidates that fall within these regulations' scope. Appeals against a decision of the University Ethics Committee acting in the first instance shall be heard by the University Appeals Committee.
- (14) No person may participate in the adjudication of ethics complaints:
  - a) who is involved in the case,
  - b) who has been the subject of a complaint)
  - c) the victim of the act under investigation,
  - d) a close relative of a person referred to in points (a) to (c),
  - e) from whom an objective assessment of the case cannot be expected.
- (15) In cases in which the University Ethics Committee acts as a second instance committee and in cases in which the University Appeals Committee acts, the person concerned shall be excluded from the consideration of the case:
  - a) the person who made the contested decision or failed to make the decision,
  - b) a close relative of the persons referred to in (a),
  - c) from whom an objective assessment of the case cannot be expected.

### 3.2. Reporting a breach of ethical standards

- (1) A breach of ethical standards may be reported by the victim or by any person who has credible knowledge of this fact (hereinafter referred to as "the reporter") and who is prepared to participate in proving the credibility of his/her report by revealing his/her name to the Committee dealing with the case.
- (2) It is desirable that anonymous reporting be avoided in the interests of fairness. Anonymous reporting is generally unethical, but a notifier may request that his/her name not be disclosed or that his/her details be kept confidential if he/she has reasonable grounds to fear that he/she may suffer prejudice as a result of making the report.
- (3) In the case of an ethical breach, a complaint may be lodged within 30 days of becoming aware of the act in the manner provided in paragraph 6.
- (4) No ethics procedure may be initiated if more than one year has elapsed since the date on which the act complained of occurred. In the case of successive ethical misconduct, the date of the last act shall be decisive for the application of the time limit. However, related

prior acts may also be taken into account in the assessment of the misconduct.

- (5) The notification shall be as specific as possible: it shall indicate the name(s) of the person(s) who committed the breach of ethical standards, the place and date of the act, and the evidence available to prove that the act took place (e.g., witnesses, physical evidence, etc.).
- (6) The report may be made orally or in writing to the heads of the University and the faculties, the heads of the departments, the student representative bodies, and the employee representative bodies of the University.
- (7) The recipient of a verbal report shall draw up a record of the report, following the model published in the forms available on the website of the Directorate-General for Legal Affairs and Administration, which shall be signed by the person making the report, the recipient of the report and the person who keeps the record.
- (8) The recipient of the notification shall examine the notification to determine whether the content of the case notified is likely to constitute a breach of an ethical standard and shall forward the notification and the evidence submitted to the Ethics Committee responsible for the case within three working days at the latest.
- (9) If the notification does not fall within the scope of the ethical standards but concerns a public interest report, the notification shall be forwarded to the Directorate-General for Legal Affairs and Administration.

### 3.3. Procedure of the bodies investigating and judging ethical misconduct

- (1) The competent ethics committee shall investigate all complaints and notifications (hereinafter collectively referred to as "complaints") received in ethics cases and take a decision on the complaint within 60 days of the date of receipt of the submission by the chairman of the Committee.
- (2) Within eight working days of the receipt of a notification or complaint, the Chairperson of the Committee or a member designated by him or her shall examine it to determine whether it contains circumstances that would justify action by another department or authority (e.g., criminal proceedings, proceedings under the Code of Conduct for the Handling of Incidents that Violate Organisational Integrity, disciplinary proceedings, proceedings by the Audit Committee or other body of the student government), in which case they shall reject the notification or complaint, take the necessary measures and inform the notifying party accordingly. Where justified, it shall initiate the examination of the complaint as a complaint of public interest by the Directorate-General for Legal Affairs and Administration. If the rejection of the complaint is not justified, the President or the member designated by him shall examine the complaint to determine whether the facts complained of (the infringement of the rules and the grounds for it) are such as to justify the initiation of proceedings before the Committee.
- (3) The Chairperson of the Committee shall reject in writing any complaint which does not refer to a specific breach of ethical standards or does not indicate the evidence of such a breach, with the invitation to the complainant to resubmit the complaint once again, provided that the deficiencies indicated in the rejection are remedied.

- (4) If the rejection of the complaint is not upheld, the Chairperson of the Committee shall, within eight working days of receipt of the complaint, inform the complainant of the initiation of the procedure by sending a copy of the complaint and shall invite the complainant and the complainant to attend the meeting of the Committee, indicating the exact date and place of the meeting. The Committee's meeting shall be scheduled within 30 days of receipt of the notification.
- (5) The Committee may, if necessary, seek the assistance of an independent and disinterested expert if the matter requires clarification of a technical issue in which the permanent or ad hoc members of the Committee do not have expertise. In this case, the Chairperson of the Committee shall order an expert to be heard and an opinion to be drawn up. The expert shall be primarily a person with an employment relationship with Semmelweis University. The expert shall be primarily a person with an employment relationship with Semmelweis University. In ethics proceedings, the expert shall not be remunerated.
- (6) The notifier may name witnesses and other victims in their submission, whose hearing shall be ordered by the chairman of the Committee as provided in paragraph (4).
- (7) The complainant shall also have the right to designate witnesses or submit other evidence to the Chairperson of the Committee by the third working day before the day of the scheduled meeting. If the time limit is not observed, the complainant shall be obliged to arrange for the attendance of the witness at the committee meeting.
- (8) At its meeting, the Committee shall assess the available evidence based on a presentation by the chairman or the member of the Committee invited by him to present the case: in this context, it shall compare the content of the notification and the statement of the complainant with the testimony of the witnesses, the statements of other aggrieved persons and other available evidence.
- (9) The Committee shall hear the witnesses and the aggrieved persons one by one, in absentia of each other. In the event of a contradiction, the Chairperson of the Committee may order the witnesses and other aggrieved persons, as well as other evidence, to be confronted by the complainant or the complainant.
- (10) In interest of the integrity of university public life, all university citizens shall cooperate with the committees investigating and judging ethics cases, shall appear before the Committee when requested to do so, and shall disclose any information other than information incriminating them, which they have obtained in connection with the case under investigation.
- (11) After examining the complaint and conducting the hearings, the Committee shall initiate conciliation if this appears sufficient in light of the relationship between the victim and the complainant, mainly because of the complainant's statement.
- (12) If conciliation is unsuccessful, the Committee shall take a decision, indicating and evaluating the evidence taken into account in establishing the facts:
  - a) whether an ethical breach has occurred,
  - b) whether the person committed the breach complained against; and
  - c) what action or sanctions it considers appropriate.

#### 3.4. Sanctions for breaches of ethical standards

- (1) In the absence of the necessary evidence to support the suspicion, no action may be taken, or sanction imposed, which may cause detriment to the person against whom the complaint was lodged.
- (2) The Committee dealing with the case may decide to apply the following sanctions in respect of the breach of ethical standards indicated in the complaint:
  - a) terminate the proceedings if the breach of ethical standards has occurred, or the identity of the perpetrator cannot be established;
  - b) establish that an ethical breach has occurred and warn the offender to refrain from future violations of the provisions of the Code; or
  - c) establishes that an ethical breach has occurred and orders the disclosure of the breach (without reference to personal data) on the University's central website; or
  - d) in addition to establishing the breach of ethical standards, order the offender to provide non-material compensation (e.g., an apology, publication of a correction with the removal of the published statement of breach) commensurate with the seriousness of the breach; or
  - e) initiate disciplinary proceedings against a person who is not a member of the University's staff where disciplinary offenses are suspected; or
  - f) if the report contains a public interest report or if the information in the procedure indicates that a procedure(s) according to paragraph 3.3(2) may be warranted, shall, in addition to taking a decision, call upon the person entitled to conduct the procedure to take the necessary measures.
- (3) The decision shall be communicated orally to the person complained against and, if present, to the notifier at the meeting, and shall be recorded in writing within eight working days, using the model in the Forms library available on the website of the Directorate-General for Legal Affairs and Administration. The written decision shall be communicated to the person complained against and to the whistleblower by the means indicated by the latter (by e-mail, by registered post, or by "s. k. felbontásra" (for their own hands only) in a sealed envelope addressed to a university work address).
- (4) The complainant and the complainant may appeal against the decision of the Committee. If no appeal is lodged against the decision of the Committee by any of the parties entitled to appeal, the decision shall become enforceable on the day following the expiry of the time limit for appeal.
- (5) If any appellants appeal within the time limit against the decision of the Committee of the first instance, the appeal shall have a suspensory effect for the enforcement of the decision of the first instance.

### 3.5. Legal remedies

- (1) An appeal against a decision, action, or failure to take action by the KEFB or the DEFB may be lodged with the University Ethics Committee as the Committee of the second instance. In cases where the University Ethics Committee acts as a first-instance body, an appeal may be made to the University Appeals Committee.
- (2) An appeal may be lodged by the following persons:

- a) the person complained against, or his representative duly authorized to represent them, and
  - b) the notifier or his representative duly authorized to represent them.
- (3) An application for redress must be made in writing within 15 days of the date of notification of the written decision. The application shall state the grounds on which the applicant seeks a review of the decision of the first instance.
- (4) The Committee may use an independent legal expert who is not interested in the application.
- (5) The appraiser of the appeal may not be
- a) the person who made the contested decision or failed to make the decision,
  - b) a close relative of the persons referred to in (a),
  - c) from whom an objective assessment of the case cannot be expected.
- (6) The University Ethics Committee and the University Appeals Committee may, in the second instance, take the following decisions:
- a) reject the appeal if it is out of time or incomplete (no reasons are given),
  - b) order the person who failed to make 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) annul it and terminate the proceedings,
    - db) annul the decision and request the Committee at first instance to initiate new proceedings,
    - dc) alter the decision at first instance.
- (7) There shall be no further appeal against the decision of the second instance, in particular, no judicial review.

#### 4. ANNEXES

- 1. Annex No.: Audit trail



## Annex No.: 1 Audit trail

	Process steps	Preparation steps	Responsibility levels					Document resulting from the process
			Task owner	Controlled by	Verification method	Approved by	Approval method	
1	Submission of complaint/report of ethics violation	Examination of written/verbal complaint/report, recording of verbal complaint	University/ faculty leaders/ departmental leaders/ student representative bodies/ employee representative bodies		Verification of complaint/report	n/a	n/a	Transmission of document resulting from complaint/report to the body responsible for the procedure
2	Examination of the notification	Examination of the content of the notified case in order to determine whether the notification/complaint contains a notification of public interest or a factual situation as referred to in paragraph 3.3 (2)	Recipient of the notification: University/ faculty leaders/ departmental leaders/ student representative bodies/ employee representative bodies	n/a	n/a	University/ faculty leaders/ departmental leaders/ student representative bodies/ employee representative bodies	Referral of the notified case to the procedure for handling notifications of public interest or to the procedure under paragraph 3.3 (2)	Transmission of the notification and available documents and evidence to the JIF to proceed under the procedure for handling notifications of public interest or the procedure under paragraph 3.3 (2)
3	Action by the Ethics Committee	Review of the complaint/notification: whether there is room to initiate another procedure (para. 3.3 (2)),	Chair of the Ethics Committee responsible for the procedure or the member of the Committee	n/a	n/a	Chair of the Committee responsible for the procedure	Decision of the Committee	Convening a meeting of the committee/ document calling for a rectification/

Code of Ethics

	Process steps	Preparation steps	Responsibility levels					Document resulting from the process
			Task owner	Controlled by	Verification method	Approved by	Approval method	
		whether the complaint contains a genuine breach of the law, whether there is evidence	designated by them					document rejecting a notification without examination
4	Convening of a committee meeting	Examination of evidence, available documents: hearing of complainant, complainant, and witnesses; initiation of conciliation if the breach of ethics does not constitute a breach of a statutory definition and if this is sufficient in the relationship between the victim and the complainant Committee responsible for the procedure	Committee responsible for the procedure	n/a	n/a	Committee responsible for the procedure	Decision	Decision in case of ethical breach
5	In cases concerning the handling of appeals against the decision/objection of the body acting	written appeal and examination of the documents of the first instance procedure	University Ethics Committee as the body of the second instance, University Appeals Committee	n/a	appeal for redress, examination of the first instance decision and the first instance proceedings	n/a	Decision	Decision of the Second Instance Committee on the appeal

*Code of Ethics*

	Process steps	Preparation steps	Responsibility levels				Document resulting from the process
			Task owner	Controlled by	Verification method	Approved by	
	at the first instance,						