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**PART ONE  
BASIC PROVISIONS**

**Article 1  
Basic provisions**

(1) The Ethics Committee of TBU (hereinafter referred to as “Committee”) is an advisory body established by the Rector of Tomas Bata University in Zlín (hereinafter referred to as “TBU”) in accordance with Article 26 of TBU Statute.

(2) The Committee has been established particularly for the purpose of investigating complaints regarding the observation of the principles of the Code of Ethics of TBU and ethical aspects of research projects implemented at TBU, which include human subjects.

**Article 2  
Composition of the Committee**

(1) The number of the Committee members and the composition of the Committee shall be specified in a relevant TBU internal regulation issued by the Rector.

(2) The Chairperson of the Committee shall be appointed by the Rector.

(3) The Chairperson, the members of the Committee and the Rector shall sign a confidentiality agreement regarding all confidential, or otherwise sensitive issues dealt with within the discussion of the relevant complaints/motions.

(4) The Chairperson of the Committee may seek the opinion of other persons acting in an advisory capacity in order to examine a particular case; the provision of Paragraph 3 shall apply accordingly to these persons.

(5) The Committee can be contacted by email at: [eticka-komise@utb.cz](mailto:eticka-komise@utb.cz).

**Article 3**  
**Meetings held by the Committee**

- (1) The meetings of the Committee are held as required, however, no less than once per year.
- (2) The meetings of the Committee shall be convened by the Chairperson of the Committee or a member of the Committee authorized by the Chairperson in writing or in electronic form.
- (3) The meeting of the Committee shall be convened by the Chairperson, if he/she is requested to do so by the Rector, ombudsman, data protection officer, Dean, or the Chairperson of TBU Academic Senate (hereinafter referred to as "TBU AS"), or by at least two members of the Committee.
- (4) The meeting of the Committee is chaired by its Chairperson. If the Chairperson is absent, then the Committee is chaired by a member of the Committee authorized by the Chairperson.
- (5) The meetings of the Committee are closed to the public. The Rector may attend the meeting of the Committee, however, he is not entitled to cast a vote.
- (6) The Committee is able to constitute a quorum, if at least two thirds of all its members are present.
- (7) A resolution is adopted by the Committee, if the majority of the Committee members present vote in favour of it.
- (8) A resolution shall be adopted by acclamation; the Committee may vote by secret ballot upon proposal by any member of the Committee.
- (9) The meeting of the Committee may also be held by means of remote communication tools. If the meeting is held in this manner, the provisions of Paragraphs 6 to 8 shall apply accordingly, while voting by secret ballot can be used only if the remote communication tools allow it.
- (10) Minutes shall be taken from the meeting of the Committee, which shall include the date, place and the manner in which the meeting is held, meeting agenda, the list of persons present at the meeting, the result of voting and the resolution adopted by the Committee.
- (11) If necessary, the Committee may vote on the resolution outside the meeting by means of remote communication tools (hereinafter referred to as "voting by correspondence"). When voting by correspondence, the Chairperson shall specify the manner of voting, and shall seek the opinion of the members on the written draft resolution and announce the deadline for the submission of their opinion. The results of the voting shall be summarized by the Chairperson. A resolution is adopted, if at least two thirds of all the members of the Committee submit their opinion and if an absolute majority of all the members of the Committee who cast their vote voted in favour of it. The Chairperson shall inform all members of the Committee about the result of voting in writing or in electronic form without delay. The result of voting by correspondence shall be included in the minutes taken from the nearest meeting of the Committee. If at least two members of the Committee vote against voting by correspondence within the deadline set for the submission of their opinion, the voting cannot be carried out in this manner and a meeting of the Committee must be convened.

**PART TWO**  
**INVESTIGATION OF COMPLAINTS REGARDING THE OBSERVATION OF THE**  
**PRINCIPLES OF THE CODE OF ETHICS OF TBU**

**Article 4**  
**Discussion of submitted complaints**

(1) The Committee shall investigate complaints lodged by the members of the academic community and other TBU employees (hereinafter referred to as the “submitter”), related to the observance of the principles of the Code of Ethics of TBU.

(2) The complaint shall be submitted in writing for the attention of the Chairperson of the Committee. The complaint shall include:

- a) substantiation of the complaint (explanation of by whom, in what manner, in what clause the principles of the Code of Ethics of TBU have not been observed),
- b) name, surname of the submitter and his/her address for service,
- c) e-mail address and telephone number of the submitter,
- d) the Faculty or other TBU component part, at which the submitter is a member of the academic community or other TBU employee,
- e) eventual body of evidence,
- f) handwritten or qualified electronic signature of the submitter.

(3) After the complaint has been lodged, the Chairperson of the Committee shall inform the members of the Committee about its subject matter without undue delay.

(4) The Committee shall investigate individual complaints and shall decide on the most appropriate manner of dealing with them. In doing so, the Committee shall proceed in such a manner as to enable the complaint to be dealt with in its completeness without undue delay. A complaint not directly related to the Code of Ethics of TBU shall be postponed by the Committee without the need for a factual discussion of the complaint. As a general rule, meetings of the Committee intended to discuss a complaint shall take place within 3 months of its delivery.

(5) The Committee may request the cooperation of any TBU employee or student in order to discuss the complaint; the given person is obliged to provide the Committee with the requested cooperation to the best of his/her knowledge and belief and in accordance with the Code of Ethics of TBU.

(6) The TBU employee, who, according to the complaint lodged, may have failed to observe the principles of the Code of Ethics of TBU or who is or may have been aware of possible non-observance of the principles of the Code of Ethics of TBU (hereinafter referred to as “the person concerned”), must be summoned to appear at the meeting of the Committee by the Chairperson of the Committee in writing. The notice to appear, together with any supporting documents relating to the complaint, shall be sent to the person concerned through the provider of postal services (to be delivered to the addressee only), or to the data box. The notice to appear must be served on the person no later than two weeks before the date of the meeting of the Committee. If the notice to appear fails to be served (delivered to the addressee only) on the address for service specified by the person concerned or to his/her data box, the notice to appear shall be delivered via public announcement in accordance with § 25 of the Act No. 500/2004 Coll., Rules of Administrative Procedure, as amended. The document is considered as delivered on the fifteenth day of the date of posting.

(7) The person concerned is entitled to attend that part of the meeting of the Committee, in which the complaint in which that person concerned is involved is discussed. The Committee may discuss the

complaint also in the absence of the person concerned, if he/she has failed to appear at the meeting, although the notice to appear was served on him/her in a due and timely manner in accordance with Paragraph 6.

(8) Furthermore, the person concerned is entitled to comment on all supporting materials for the meeting, propose and present evidence and to use all means that might serve to clarify the matter under discussion, including expert opinions ordered by the person concerned.

(9) The output of the meeting of the Committee is a resolution stating whether the principles of the Code of Ethics of TBU have been observed or not. If the principles of the Code of Ethics of TBU have not been observed, the resolution shall include the evaluation of the level of seriousness of the infringement and the proposal for a measure to be adopted.

(10) The minutes taken from the meeting of the Committee in accordance with Article 3 Paragraph 10 shall be sent to the Rector and to the members of the Committee without undue delay, however, no later than within 14 days of the date of the meeting.

### **PART THREE INVESTIGATION OF MOTIONS REGARDING PROJECT RESEARCH DATA**

#### **Article 5 Dealing with the submitted motions**

(1) The submitter of a motion for the assessment of research data of projects and their outputs is the Dean or the chief executive at other TBU component part.

(2) Motions for the assessment shall be submitted using a form (see Appendix No. 1 Request for Assessment of Project Research Data by the Ethics Committee of TBU) posted on TBU intranet website – Forms – Projects – Request for Assessment of Project Research Data by the Ethics Committee of TBU.

(3) In case of motions regarding research data of projects and their outputs posing small or no risks to the participants, the submitter shall submit as a supporting document for the assessment a brief description of the project, text of the informed consent and a declaration of honour, in which he/she declares that the following requirements have been fulfilled:

- a) the research is not implemented with the participation of vulnerable groups (under-aged persons, persons with limited legal capacity, etc.) without the consent of their legal representatives,
- b) the research poses only a small or no risk to the participants, comparable to the risk involved in the performance of common office work tasks, or to the risk people face every day at work or at school.

(4) In case of projects which may pose a medium or serious risk to the participants, the submitter must supply, besides data specified in Paragraph 2, also the following additional information:

- a) description of the procedures, which lead to the reduction of risks for the participants, or of the negative impact on the participants, including the procedures to remove the consequences of deception, if deception is used;

- b) detailed description of a group analysis of an event of extraordinary importance (debriefing);
- c) substantiation of the need to use procedures, which increase the risk for the participants;
- d) substantiation of the need to use deception, if deception is used in the research;
- e) if the participants belong to the vulnerable population, substantiation of the need to implement the research with the participation of these individuals.

(5) As regards the assessment of the submitted motions, the Chairperson of the Committee may seek the opinion of the data protection officer acting in an advisory capacity.

(6) The output of the meeting of the Committee is a resolution which includes the approval for the project and its outputs while observing the ethical standards guaranteed by the submitter.

(7) If a disapproving resolution is adopted by the Committee with regard to the project and its outputs, the substantiation and requirements clearly formulated by the Committee and regarding the rewriting of the motion shall form part of the resolution. The submitter has the opportunity to rewrite the motion in accordance with the requirements of the Committee and re-submit it for assessment to the Committee.

## **PART FOUR COMMON AND FINAL PROVISIONS**

### **Article 6 Expert opinions**

(1) In case of a difficult issue, the Chairperson of the Committee is entitled, with the approval of the Rector, to request an expert opinion written by an independent expert.

(2) Expenses related to the participation of independent experts and the preparation of expert opinions shall be covered by TBU Rectorate.

### **Article 7 Final provisions**

(1) TBU Academic Senate commented on these Rules of Procedure of the Ethics Committee of TBU on 26 January 2021.

(2) TBU Internal Evaluation Board commented on these Rules of Procedure of the Ethics Committee of TBU on 16 February 2021.