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PART ONE

Article 1
Basic provisions

(1) This Directive regulates the obligations of staff and students of Tomas Bata University in Zlín (hereinafter referred to as "TBU") related to the acquisition, storage and use of research data.

(2) This Directive is based on the Directive 2019/1024 of the European Parliament and of the Council (EU) on Open Data and the Re-Use of Public Sector Information and Applicable Legislation of the Czech Republic, in particular on the Act No. 241/2022 Coll., amending the Act No. 106/1999 Coll., on Free Access to Information, as amended, the Act No. 123/1998 Coll., on the Right of Access to Environmental Information, as amended, and the Act No. 130/2002 Coll., on the Support of Research, Experimental Development and Innovations from Public Funds and on Amendments to Selected Related Acts (Act on Funding Provided to Research, Experimental Development and Innovations), as amended. The Directive supplements and provides detailed information on some of their provisions in order to set rules for relations within TBU, and sets out organizational solutions within TBU which ensure the implementation of the provisions. The goal of TBU is to carry out high-quality research and to preserve scientific integrity, with TBU, thus, undertaking to ensure a secure administration and management of research data.

Article 2
Definition of selected terms

For the purposes of this Directive, the following terms shall be used:

(1) In accordance with Act No. 130/2002 Coll., on the Support of Research, Experimental Development and Innovations from Public Funds and on Amendments to Selected Related Acts,

the term *research* refers to any R&D/creative activity carried out on a systematic basis for the purpose of obtaining, storing or using of data for research purposes.

(2) The term *research data* refers to any scientific information, other than scientific publications, in electronic form, that is collected or produced in the course of research or development, and is used as evidence in the research or development process or that is generally accepted by the research community as necessary in order to validate the findings and results of research or development.

(3) The term *open research data* refers to information published in a manner allowing remote access in an open and machine-readable format, where the manner and purpose of reuse of such data is not restricted and which are registered in the National Open Data Catalogue. In this regard, all open research data must comply with the FAIR principles (Findable, Accessible, Interoperable, Reusable), which means that it is complete, easily accessible, machine-readable and available under clearly defined conditions and using standards with a freely available specification. Electronic data repositories are usually used to provide open access to research data.

(4) The term *sensitive data* refers to data that contains information on racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health condition, sexual orientation and criminal offences or final convictions of persons. Genetic and biometric data is also categorised as sensitive data when processed for the purpose of a unique identification of a natural person. Sensitive data also refers to confidential information about facts the disclosure of which could cause damage or harm to TBU or to third parties.

(5) The term *use of research data* refers to the processing of research data for the purpose of their interpretation, publication or archiving. The use of research data also includes their shredding, making copies thereof and passing them on to third parties for processing.

(6) The term *dynamic data* refers to information in electronic form that is subject to continuous or real-time updating, in particular because of its significant variability or rapid outdating.

(7) The term *metadata* refers to data describing the context, content and structure of recorded information and their management over time. Metadata is structured reference data that helps sort and identify the attributes of the information described. Metadata can help extend the effectiveness of existing data by helping researchers find new ways how to use the data.

(8) The term *National Open Data Catalogue* refers to the information system used in the public sector administration to register information published as open data. The administrator of the National Open Data Catalogue is the Ministry of the Interior of the Czech Republic.

(9) The term *academic (member of academic staff)* refers to a Professor, Associate Professor, Adjunct Professor, Senior Lecturer, Lecturer, Assistant Lecturer, a researcher or a member of R&D staff performing teaching and R&D and creative activities when employed at TBU in accordance with the type of work agreed.

(10) The term *researcher* refers to a TBU employee, including visiting researchers, or to a TBU student, usually a doctoral student (hereinafter referred to as a "PhD student"), involved in the implementation of a research project.

(11) The term *visiting researcher* refers to a natural person who is employed at another Czech or foreign higher education institution and who is involved in TBU research activities in any form (e.g. is on

a research visit at TBU). Such researchers are granted institutional affiliation and are given access to TBU information systems.

(12) The term *research project* refers to a scientific process aimed at gathering of information and at formulating of hypotheses about a specific social or scientific phenomenon.

(13) The term *investigator of a research project* refers to a person, usually an employee of TBU, who is responsible for the professional quality of a project to the grant recipient. In his/her work, the project investigator adheres to basic ethical principles, is responsible for the precision and objectivity of the research carried out by him/her, he/she considers science and research to be an integral part of culture and a basis for innovations, and defends both of them against possible questioning, and always treats the entrusted data, research and development results, personal data and other confidential information in such a manner as to minimize their possible misuse, ensures their protection in accordance with legal regulations of the Czech Republic and maintains confidentiality about all these facts; moreover, he/she shall not misuse the knowledge of such facts or use such knowledge for his/her own benefit or for the benefit of other persons.

(14) The term *project consortium* refers to a group of partners cooperating on the implementation of a research project who are of key importance to the proper course of the project implementation. Within the project consortium, a project coordinator must be elected who will manage the project as regards the project's technical, administrative and financial aspects, who will find suitable partners, be responsible for the overall proposal of the research project and represent the project consortium.

(15) The term *provider of funding for R&D and innovations (hereinafter referred to as "R&D&I funding provider")* refers to an entity that has public funds and is responsible for their purposeful use in the area of allocation of R&D&I funding.

(16) The term *Research Data Management* (hereinafter referred to as "RDM") refers in particular to the organization, storage and long-term archiving of data acquired during the implementation of a research project.

(17) The term *Data Management Plan* (hereinafter referred to as "DMP") refers to a structured document that specifies what data will be produced and the manner how they will be produced during the research; it contains information about their availability and use. The DMP usually contains information about the research project, about the data origin, data collection, about any restrictions on access to the data, about enabled citation of the data, data availability or the data archiving period.

PART TWO

Article 3
DMP

(1) The DMP:
a) helps anticipate potential problems in the management and handling of research data,
b) ensures continuous checking during the implementation of research projects,

c) contributes to a reduction of risk of duplicate work, data loss and security breaches
d) ensures that data is accurate, complete and reliable,
e) facilitates data sharing,
f) ensures the continuity of long-term research projects,
g) guarantees the observance of the requirements set by grant providers.

(2) The DMP must contain all the data listed in the form in Annex 1 to this Directive, in particular, it must contain accurate information on:

a) what data will be collected/produced, and which of the current data will be reused,
b) size of repositories to be used for the data,
c) what metadata will accompany the data,
d) how the data and metadata will be stored and backed up during the research,
e) how the area of personal data protection will be dealt with if data are to be processed/stored for the project, and how the compliance with legislative and institutional regulations concerning personal data protection will be ensured,
f) how data ownership and intellectual property rights to such data will be managed,
g) how data will be shared and stored in the long term,
h) whether financial resources will be provided for data management and in order to ensure that the data is in accordance with the FAIR principles.

(3) For the purposes of creating of DMPs, it is advisable to use specialized tools, such as the Data Stewardship Wizard, where academics/researchers can process research data in accordance with the FAIR standards.

Article 4
Responsibilities, rights and obligations of TBU, of TBU employees and students

(1) TBU has institutional responsibility for the management of research data, TBU is responsible for a secure management of research data in accordance with the principles and requirements listed in European and Czech legislation and in this Directive. TBU is responsible for registration of information which TBU is obliged to publish as open data in the National Catalogue of Open Data. The TBU Library is responsible for the fulfilment of this obligation.

(2) Academics/researchers are obliged to prepare and keep a DMP in the structure as given in the form included in Annex 1 to this Directive and in accordance with Article 3 of this Directive, and that for all research projects implemented at TBU. An academic/a researcher involved in the preparation of a research project is obliged to:

a) process the DMP in the stage of preparation of a research project in accordance with Annex 1 to this Directive,

b) when submitting a project to the GAP information system, save the DMP, section Files – 6. Others.

(3) If a research project is subject to assessment by the TBU Ethics Committee, a duly processed DMP is an incentive for the assessment of research data of projects in accordance with the valid Rules of

Procedure of the TBU Ethics Committee.

(4) Investigators of research projects must adhere to recognized national and international codes for responsible conduct of research at the implementation stage of the research project. The investigator of the research project in implementation is responsible for:

a) acquisition, storage, use, provision of access to and proper shredding of research data in accordance with the DMP,

b) assurance of compliance with all organisational, regulatory, institutional and legal requirements,

c) observance of the TBU Code of Ethics in the area of secure management of research data,

d) updating of the DMP in accordance with the provisions of Article 4; the update must describe the entire process of the research conducted in detail (collection, management, integrity, storage, use and publication of research data),

e) maintaining of a critical attitude towards his/her own knowledge and results, as well as towards results achieved by his/her colleagues, and is open to discussion and to reasoned arguments,

f) management of the entrusted data, of research and development results, of personal data and other confidential information, always in such a manner as to minimize the possibilities of their misuse, ensure their protection in accordance with legal regulations, and maintain confidentiality of all these facts, provided that he/she avoids misusing the knowledge of these facts or using it for his/her own benefit or for the benefit of other persons.

(5) In the event that students are involved in the implementation of research projects, an authorized employee, usually a supervisor, is responsible for the manner how the students handle the data. In such a case, the authorized employee is appointed by a senior employee of the TBU constituent part where the student implements the relevant research project.

Article 5
Updating of the DMP

(1) Once per year (or upon termination of implementation of the research project in question), investigators of research projects are required to send compressed research data through the https://filesender.cesnet.cz/ service to the open@k.utb.cz address for the purpose of their verification using the blockchain technology. Subsequently, the investigator of the research project will receive a code confirming the originality of the research data submitted. If such data has been freely published, the investigator of the research project shall send the information about their web location to the address open@k.utb.cz.

(2) The DMP must be updated every time when any significant changes have been made/reviews have been conducted in the research project. Such changes include:
a) a change in the research project resulting in a change of the data included in the DMP,
b) generation of new data,

c) changes in the project consortium policy (e.g. a new innovation potential, a decision to file for a patent),

d) changes in the composition of a project consortium (entry of new members or departure/withdrawal of current members),

e) preparation of a report for a provider of R&D&I funding.

(3) The DMP should be updated in a timely manner before the research project is assessed or regularly evaluated. If no more periodic reviews are planned in the requirements set for the implementation of a research project, such an update shall be carried out no later than before the final review takes place.

Article 6
Personal data protection

(1) The processing of personal data shall be carried out in strict accordance with the Principles for Personal Data Processing at TBU in the individual categories of data subjects, with requirements laid down in EU legal regulations, with the currently valid legal regulations of the Czech Republic concerning the protection of personal data, and with the applicable internal rules and regulations of TBU.

(2) The method of processing of personal data must always be reviewed for a specific research project. The submitted projects, including the review of the manner and form of personal data processing, shall be assessed by the TBU Ethics Committee.

Article 7
User support

(1) The TBU Library shall provide user support for the RDM area.

(2) Academics and researchers as well as students have access to methodological and technical tools to be used for an effective process of processing, storing, archiving of and provision of access to research data.

PART THREE
FINAL PROVISION

This Rector's Directive comes into force and effect on 1 December 2022.