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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.

Article 2 Composition of the Committee

- (1) The number of the Committee members and the composition of the Committee shall be determined by the Rector in such a manner as to eliminate the conflict of interests and bias by Committee members. When deciding on the composition of the Committee, the Rector shall make sure that the matter under discussion is assessed by persons with a strong moral code. As a general rule, the Committee members include a Human Resources Development staff member and a Legal Services staff member.

- (2) The Chairperson of the Committee (hereinafter referred to as “Chairperson”) 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/matters.
- (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.

Article 3 **Meetings held by the Committee**

- (1) The meetings of the Committee are held as required.
- (2) The meetings of the Committee shall be convened without undue delay 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, Ombudsperson, Data Protection Officer, Dean, chief executive at another TBU component part, 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 all the Committee members vote in favour of it.
- (8) Voting on a resolution may be conducted by show of hands or by means of an electronic voting device; 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 (except for a final 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 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 A BREACH OF THE PRINCIPLES OF THE CODE OF ETHICS OF TBU

Article 1

Discussion of submitted complaints

- (1) The Committee shall investigate complaints received by the Rector, on the basis of which the Rector appointed an ad hoc Committee to discuss the given matter. Complaints/matters related to a breach of the principles of the Code of Ethics of TBU shall be lodged to the Rector by the members of the academic community and other TBU employees.
- (2) The complaint shall be submitted in writing for the attention of the Rector. The complaint must 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,
 - c) e-mail address of the submitter generated by TBU,
 - d) the Faculty or other TBU component part, at which the submitter is a member of the academic community or other TBU employees,
 - e) eventual body of evidence,
 - f) handwritten or qualified electronic signature of the submitter.
- (3) After the complaint has been lodged, the Rector shall determine the number of members of the Committee and the composition thereof in accordance with Article 2 Paragraph 1, and

- shall appoint the Chairperson of the Committee, to whom he shall submit the complaint lodged.
- (4) 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.
 - (5) 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 1 month of delivery of the said complaint.
 - (6) 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.
 - (7) The TBU employee, who, according to the complaint lodged, may have breached 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 electronically (usually by e-mail); in such a case, the person must confirm the delivery, usually by e-mail. As soon as the person summoned to appear at the meeting confirms the delivery of the notice to appear, the document is considered as delivered. The notice to appear must be served on the person no later than 1 week before the date of the meeting of the Committee.
 - (8) If the notice to appear fails to be served in the manner specified in the previous Paragraph, 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 1 week 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.
 - (9) The Chairperson is entitled to summon to the meeting of the Committee also other persons listed in Paragraph 6 of this Article. The provisions of Paragraphs 7 and 8 shall apply accordingly.
 - (10) The person concerned is entitled to comment on the complaint/matter discussed. The Committee may discuss the complaint/matter also in the absence of the person concerned,

if he/she has failed to appear at the meeting without an excuse, and has failed to explain the reasons for his/her absence, although the notice to appear was served on him/her in a due and timely manner in accordance with Paragraphs 7 and 8.

- (11) In the event that that the person concerned provides a reasonable excuse, the Chairperson shall set an alternative date for the meeting of the Committee. If the person concerned fails to attend the meeting of the Committee even on the alternative date, the complaint/matter shall be discussed without the presence of the person concerned.
- (12) 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.
- (13) The output of the meeting of the Committee is a resolution stating whether the principles of the Code of Ethics of TBU have been breached or not. If the principles of the Code of Ethics of TBU have been breached, the resolution shall include the evaluation of the level of seriousness of the infringement and the proposal for a measure to be adopted. The Rector shall decide on the next steps to be taken.
- (14) The minutes taken from the meeting of the Committee in accordance with Article 3 Paragraph 10 shall be sent by the Chairperson 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. The submitter and the person concerned shall receive brief conclusions on the complaint/matter discussed within the same period.

PART THREE COMMON AND FINAL PROVISIONS

Article 1 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 2 Final provisions

- (1) The Rules of Procedure of the TBU Ethics Committee were discussed at a meeting of the TBU Academic Senate held on 12 December 2023 and at a meeting of the TBU Internal Evaluation Board held on 13 February 2024.
- (2) This Directive shall abrogate and replace the Rector's Directive No. 37/2023.

Document version			
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