



UNIVERSITY OF VETERINARY MEDICINE BUDAPEST

Regulation on the Whistleblowing System

01 July 2024

1. INTRODUCTION

1.1 Purpose of the Code

In order to ensure the lawful operation of the **University of Veterinary Medicine Budapest** (hereinafter: **University**), the institution operates an **internal whistleblowing system** (hereinafter: **Whistleblowing System** or **System**). The purpose of the System is to register and investigate reports regarding unlawful or presumably unlawful acts or omissions and/or other abuses and, in compliance with the result of the investigation, to take measures in order to remedy such abuses as well as to prevent further abuse cases.

By operating the System as required and supported by the law, the University wishes to ensure the widest possible enforcement of legal regulations and ethical norms in terms of the University's activities, as well as to make sure that the University's organizations function in compliance with the objective, values and principles adopted by our institution.

The University created the system based on the provisions of Act XXV of 2023 of Hungary about complaints, reports in the public interest, and rules relating to reporting abuse (hereinafter: **Complaint Act**), in accordance with the framework regulations defined therein, and continuously ensure compliance with the Complaint Act and other relevant legal regulations, with special regard to provisions related to the protection of personal data.

1.2 Management of the Code

Except for the tasks to which other persons are assigned, the University's Secretary-General is responsible for preparing, developing and keeping effective this Code and its attachments.

This Code shall be reviewed and updated after the modifications of the legal environment and the significant organizational changes, but at least in every 3 years. In the event of a change in the relevant Hungarian regulations or Union laws, the Code must be fully and immediately updated accordingly.

2. SCOPE OF THE CODE

2.1 Organizational scope

The organizational scope of this Code covers every organizational unit of the University.

2.2 Personal scope, eligibility of whistleblowers

The personal scope of this Code, i.e., the scope of natural persons entitled to file a complaint into the System applies as follows:

- a) persons employed by or having other legal employment relations with the University, i.e., current employees and persons currently having other legal employment relations, e.g.: assistant lecturers, interns and volunteers,
- b) natural persons formerly employed by or formerly having other legal employment relations with the University, i.e., all former employees, public servants or persons with other employment relations,

c) persons intending to establish employment relations or other legal employment relations where the procedure to establish such relations with the University has already started, as well as job applicants who have already started the recruitment procedure,

d) persons currently or formerly having contractual relations different from employment as well as those who have contacted the University in order to establish contractual relations and/or participated in procedures or programmes organized by the University. The above scope includes, e.g., students, former students, participants of the student admission process, part-time lecturers, researchers and teachers with specific (non-continuous) contracts, interns, other contractors, entrepreneurs, private entrepreneurs, members of private partnerships, suppliers, subcontractors as well as those who have already been contacted by the University and began to establish any of the contractual relations listed above,

e) members of the Marek József Foundation's Board, which exercises the founder's, owner's and maintainer's and supervisory board's rights in terms of the University.

Legal persons also have the right to file a complaint in the System. In such cases, the complaint may be filed by the legal and authorized representative of the given organization.

2.3 Material scope

The System allows for reporting information regarding illegal or presumably illegal acts or omissions and/or other abuse. Furthermore, behaviour deemed to be infringing by the University's internal regulation and/or ethically objectionable conduct may also be reported.

Typical wrongdoings include:

- Impropriety at work: fraud, corruption, offering and accepting bribes, influence-peddling, money laundering;
- harassment, discrimination, racism, sexual harassment, threats, abuse, bullying;
- Retaliation at work, wrongful termination, unlawful withdrawal of remuneration or other benefits, illegal employment, forced labour;
- Failure to comply with labour safety regulations, abuse of hazardous and toxic materials, infringement of security, fire and environmental safety regulations;
- Unfair tendering or application of unfair business terms, prescription of harmful or disadvantageous conditions for consumers (e.g., animal owners) in terms of any of the University's services, creating an uneven playing field;
- Breach of professional business secrecy.

Any presumed infringement of interests and rights and/or ethically questionable conduct may be reported as long as the reporting party considers it an unlawful, unequal treatment or dishonest conduct.

However, the System shall not be used to process such complaints that arise in connection with the University's services (e.g., complaints, objections or disputes related to clinical care), as such complaints are managed in accordance with the University's dedicated procedures.

3. REGULATIONS, EU DIRECTIVE

3.1 Key legal regulations related to whistleblowing

Complaint Act Act XXV of 2023 of Hungary about complaints, reports in the public interest, and rules relating to reporting abuse

Info Act Act CXII of 2011 on Informational Self-Determination and Freedom of Information.

GDPR Regulation (EU) 679/2016 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on Council free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

3.2. EU Directive

The foundation for the Complaint Act lies in the Directive (EU) 2019/1937 of the European Parliament and of the Council on the protection of persons who report breaches of Union law of 23 October 2019.

4. DEFINITIONS

In the context of this Regulation

Data Controller: the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

Employee: A natural person who performs activities for the employer and under the employer's control in the framework of legal employment relations in return for remuneration, or is self-employed;

Employer: Entity with a legal personality that employs a natural person in the framework of legal employment;

International organisation: an organisation and its subordinate bodies governed by public international law, or any other body which is set up by, or on the basis of, an agreement between two or more countries.

Legal employment relations: Any legal relations where the employee or the self-employed person performs activities for the employer and under the employer's control in return for remuneration.

Person affected by the report: any employee of the University or any natural person in any legal relation or cooperation with the University, whose conduct or inaction provided the grounds for the complaint and who may have relevant information regarding the content of the report. Furthermore, it can be any natural person acting in representation or on behalf of a legal person that is in legal contractual relations with the University, and whose conduct or inaction provided the grounds for the complaint and who may have relevant information regarding the content of the report; such person is an external party affected by the report;

Personal data: any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data,

an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

Processing: any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

Recipient: any natural or legal person and/or organization without a legal personality for whom/which the controller and/or data processor allows access to the personal data;

Third country: All non-EEA Member States;

In addition to the above, definitions are also provided herein for terms used in the Complaint Act, the Info Act and the GDPR.

5. RECEIPT OF THE COMPLAINT AND START OF THE PROCESSING

5.1 The Whistleblower Protection Officers

To manage the System, the University appoints a staff member (the person responsible for the whistleblowing and equal opportunities) who is able to receive complaints and investigate them objectively without any bias (hereinafter: **Whistleblower Protection Officer**). In this capacity, the Whistleblower Protection Officer shall not take instructions neither from the Rector of the University nor the exerciser of the Employer's rights or the direct superior.

The person responsible for student rights in matters concerning students, harassment and matters not strictly related to their studies, is an external person with a contract of appointment with the University, whose powers are regulated by a separate Rector's order.

5.2 Whistleblowing channels

The System comprises channels to file reports regarding the infringement of rights, norms or ethically questionable conduct. The primary whistleblowing channels are: **the e-mail addresses panasz@univet.hu / complaint@univet.hu specifically created for this purpose**. The latter e-mail primarily functions as the address where foreign students and teachers can send their reports in English. The System also offers an opportunity (limited to the period of 9-15 on weekdays) to submit the complaint orally **by calling the phone number +36 30 202 8021**. Furthermore, whistleblowers may also contact the Whistleblower Protection Officer at his workplace (address below): **1078 Budapest, István utca 2., Building H Office 202**

After receiving the complaint, the University shall use the selected channel to conduct confidential communication with the whistleblower. Communication channels may be selected through mutual agreement between the whistleblower and the Whistleblower Protection Officer.

The person responsible for student rights in matters concerning students, harassment and matters not strictly related to their studies, is an external person with a contract of appointment with the University, whose powers are regulated by a separate Rector's order.

5.3 The manner of reporting

Whistleblowers may submit their reports in writing or verbally.

Within 7 (seven) days after the receipt of the complaint filed in writing, the University sends a confirmation letter to the whistleblower. The confirmation letter also includes general information for the whistleblower regarding the procedural and data privacy regulations under the University's internal codes.

Oral complaints can be filed via phone or person-to-person. The Whistleblower Protection Officer is required to take the minutes of the phone or personal discussion and register the complaint. To ensure the complete accuracy of the minutes, the officer may also make an audio recording of the meeting with the whistleblower's informed consent submitted in writing. After allowing the whistleblower to review, correct and sign the minutes taken, the Whistleblower Protection Officer shall hand over a signed copy of the document to the complainant.

Regardless if the oral complaint was filed via phone or personally, the Whistleblower Protection Officer shall call the whistleblower's attention to the following:

- a) the consequences of malicious reports,
- b) the regulations governing the investigation of the complaint, and
- c) the confidential processing and management of the whistleblower's identity (provided that the whistleblower submits the data necessary for establishing identity) in all stages of the investigation. Furthermore, the officer shall ask the complainants to declare what kind of communication channels they want to use and provide their contacts accordingly.

5.4 Identification of the whistleblower and declarations related to the complaint

Natural person complainants are required to provide their name and home address or other contact information. Legal persons shall provide their name, registered head office and the name of their legal representative who files the complaint. When filing the complaint, the whistleblower must declare acting in good faith and report the facts and circumstances which they are aware of and/or which provide reasonable grounds for the validity of the statements in the complaint.

5.5 Registration of the complaint, statements by the Whistleblower Protection Officer

Upon the complainant's request, the Whistleblower Protection Officer provides the complainant with information regarding the filing of the complaint. The Whistleblower Protection Officer shall refrain from influencing the complainant in terms of the report's content in order to prevent any pressure on the complainants to change their statement on the facts of the reported case, conduct or the evaluation thereof.

The Whistleblower Protection Officer shall call the complainant's attention to the consequences of malicious reports. The officer shall also inform the complainant that if the complainant is proved to have been supplying invalid data or information in bad faith, which raises a reasonable suspicion of crime or misdemeanour, the whistleblower's personal data shall be transferred to the body or person entitled to conduct the proceedings. If there are reasonable grounds to establish that the complainant unlawfully caused or wished to cause damage or other infringement to other persons, the complainant's personal data shall be transferred, upon such request, to the body or person entitled to initiate and/or conduct the proceedings.

5.6 Measures after complaint registration

After receiving the complaint, the Whistleblower Protection Officer shall register the key essence and the key data of the complaint. Furthermore, the officer shall also lay out the measures to be taken for the in-depth evaluation of the complaint as well as verify the conditions for filing a complaint, especially including whether the complaint was filed by an eligible person and the complaint was issued legitimately. The Whistleblower Protection Officer shall verify the legitimacy of the complaint filing, by examining the content and attachments of the report, and evaluating the evidence. If the preliminary evaluation is unable to verify the legitimacy of the complaint filing beyond any doubt, the officer shall request the whistleblower to provide the relevant information.

5.7 Registration and recording of reports

The Whistleblower Protection Officer keeps records of all reports submitted. The officer shall register the following data in the records:

- a) the time and manner of filing the complaint,
- b) the identification number of the report,
- c) a brief summary of the report's content,
- d) the fact and reason of disregarding the report,
- e) the fact of conducting the investigation launched because of the report,
- f) the key conclusions of the summary report generated by the investigation.

6. INVESTIGATION OF COMPLAINTS

6.1 Deadline for investigating the report

The University shall investigate the report's statements within the shortest possible time under the circumstance, but no later than 30 (thirty) days after the receipt of the report. In exceptionally justified cases, the investigation deadline of 30 (thirty) days may be extended with the concurrent notification of the whistleblower. In such cases, the University shall inform the whistleblower about the expected date of the investigation as well as the reasons of the extension. However, the deadline for investigating the complaint and informing the whistleblower shall not exceed 3 (three) months even in case of an extension.

6.1 Decision not to conduct an investigation

The University may decide not to conduct an investigation if

- a) the complaint was filed by an unidentifiable whistleblower;
- b) the complaint was filed by an ineligible person;
- c) the complaint is a report re-filed by the same whistleblower repetitiously, with the same content as the previous complaint;
- d) the infringement of public interest or overriding private interest would be disproportional compared to the restriction of reported natural and/or legal person's (hereinafter jointly referred to as: reported person) rights arising from the investigation of the complaint.

The University may nonetheless decide to investigate the complaint even if the above conditions are present.

6.3 Keeping contact with the whistleblower

In the course of investigating the complaint, the University keeps contact with the whistleblower which may involve the University's officer requesting the whistleblower to provide additional information, clarify the facts of the case and/or provide access to further information, setting deadlines and warning the complainant not to miss the deadlines in order to keep the procedure going. In the course of investigating the complaint, the University may request the whistleblower to provide data and information that are necessary for the investigation of the complaint. The whistleblower shall provide the University with the requested data and information by the deadline indicated in the request.

6.4 Conducting the investigation

The investigation of the complaint involves evaluating the validity of the circumstances indicated in the complaint and taking the appropriate measures that can remedy the misconduct and, where possible, prevent the occurrence of similar misconduct in the future.

7. DECISIONS, MEASURES

7.1 Decisions resulting from the investigation

As a result of the investigation conducted, the University shall

- a) conclude the investigation without making a decision of the validity of the circumstances indicated in the complaint cannot be verified;
- b) establish the occurrence (persistence) of a misconduct, and apply the measures indicated in this notice individually or in combination.

The procedures related to complaints that were filed in good faith but proved to be unfounded shall be concluded without notifying third parties. If the investigation finds the complaint unfounded, or concludes that no further action is needed, the University shall close the procedure. If the investigation finds the complaint unfounded, or concludes that no further action is needed, the University shall erase the processed personal data within 60 days after the closure of the investigation.

7.2. Measures taken by the University

The University shall take the following measures:

- a) give a warning to the reported person;
- b) determine that an infringement of the law and/or rules have taken place and set a deadline for the reported person to cease the abusive conduct in a verifiable manner;
- c) propose further internal investigation and initiate disciplinary action against the person responsible for the abuse;
- d) file a police report if the investigation shows grounds for initiating criminal proceedings;
- e) initiate the application of legal sanctions if there are reasonable grounds for suspicion of professional misconduct;
- f) if the University's regulations pertaining to students was breached by a student, initiate the application of disciplinary action against the student under the University's relevant internal regulations.

7.3 Informing the whistleblower

The University shall inform the whistleblower in writing regarding:

- a) the investigation of the report, or
- b) the disregarding of the complaint and the reason for disregarding it,
- c) the result of the investigation of the report,
- d) the measures taken or planned.

Written communication may be omitted if the University has already informed the whistleblower verbally and the whistleblower acknowledged the information.

8. DATA PROTECTION REGULATIONS

8.1 Personal data processed in the System

The System is used to process the personal data of the following entities:

- a) the whistleblower;
- b) persons whose conduct or inaction was the reason for filing the report; and
- c) persons who may have relevant information regarding the content of the report,

to the extent that is essential for the investigation of the complaint and for no other purpose than to carry out the investigation in order to remedy and/or discontinue the conduct that formed the subject of the complaint.

Any personal data not listed above shall immediately be erased by the University from the set of data processed in the System.

If the investigation leads to the execution of a measure (including legal proceedings or disciplinary action against the whistleblower), the University shall process the data of the whistleblowing report no longer than the final conclusion of the procedures conducted based on the report.

8.2 Transfer of the whistleblower's personal data

The whistleblower's personal data shall only be transferred to the competent body to conduct the procedure initiated based on the report, as long as such body is entitled by law to process reports or the whistleblower gave consent to their personal data to be forwarded. Whistleblowers' personal data shall not be disclosed without their consent.

8.3 Protection of the whistleblower from the reported person

If the complaint refers to a natural person, despite the reported persons exercising their right to access information, the whistleblower's personal data shall not be disclosed to the other person requesting information, due to the right of personal data safety guaranteed for every natural person.

8.4 Data transfer to a third country or international organization

Data processed within the framework of the System shall not be transferred to a third country or international organization unless without the data recipient's legal commitment to comply with the reporting regulations laid out in the Complaint Act and the observance of the regulations pertaining to the protection of personal data.

8.5 Access to data processed in the System

The University shall create a System that prevents any unauthorized party from accessing either the personal data of whistleblowers who disclose their identity in the complaint or those of the reported person. Before the closure of the investigation or the initiation of the formal disciplinary action resulting from the investigation, the persons investigating the complaint shall, apart from informing the reported person, only share the information regarding the report's content and the reported person to the extent that is absolutely necessary for conducting the investigation.

8.6 Data protection information for the reported person and the persons who have information of the case

Upon beginning the investigation, the University shall provide the reported person with detailed information about the complaint as well as their data privacy rights and the regulations related to the processing of their data. In compliance with the requirements of a fair procedure, the University ensures that the reported person can explain their position on the complaint through a legal representative and support it with evidence. In exceptional and justified cases, the reported person's notification may be delayed if an immediate notification would undermine the investigation of the report. These provisions shall also apply to persons having relevant information about the content of the complaint and inform the University accordingly during the investigation.

Data privacy information regarding the System on the website

The University shall release a data privacy statement on its website, with detailed data privacy information regarding the procedure laid out in this Code (including the information pertaining to the scope of the personal data processed, the persons authorized to process information, the purpose and duration of data processing).

9. CLOSING PROVISION

This Regulation was approved by the Senate by Resolution No. 5e/2024/2025 SZT on September 25th, 2024 and shall enter into effect as of September 26th, 2024.

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Dr. Márton Battay
Secretary of the Senate

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Dr. Péter Sótonyi
President of the Senate

