PAVOL JOZEF ŠAFÁRIK UNIVERSITY
IN KOŠICE

Guarantor: Rector's Office

Košice, 12 December 2022
Ref. No.: REK000174/2022-ÚPA/5716

Rector's Decision No. 21/2022,

issuing the Statute and the Rules of Procedure of the Ethics Committee of Pavol Jozef Šafárik University in Košice and its parts

In accordance with the provisions of Section 15(1)(n) of Act No. 131/2002 on Higher Education Institutions and on Amendments of Certain Acts, as amended,

I hereby issue

the following Decision issuing the Statute and the Rules of Procedure of the Ethics Committee of Pavol Jozef Šafárik University in Košice and its parts (the "Statute").

Preamble

Pavol Jozef Šafárik University in Košice ("UPJŠ" or the "University"), as part of the European Education and Research Area, contributes to the development of ethical, authentic, and socially responsible individuals by providing high-quality higher education aligned with the needs of real world and by advancing new knowledge through creative scientific and artistic research.

Through its official policy implemented in its fundamental internal documents, Pavol Jozef Šafárik University in Košice declares its respect for and unconditional acceptance of all individuals regardless of gender identity, sexual orientation, skin colour, belonging to a nation, nationality, ethnic group, or religious belief.

As an educational and research institution committed to upholding the highest ethical standards of research integrity, and with the aim of strengthening the ethical aspect of scientific activity as well as increasing the trust of the public and the international research community in Slovak research institutions, Pavol Jozef Šafárik University in Košice has joined the Declaration on Strengthening the Culture of Scientific Integrity in Slovakia.

PART ONE
Statute of the Ethics Committee

Article 1
Ethics Committee

1. The Ethics Committee of UPJŠ (the "Committee") is an independent expert advisory and consultative body to the Rector of Pavol Jozef Šafárik University in Košice (the "Rector"), which deals with ethical issues, promotes and supervises the proper implementation of and compliance with the principles set out in the Code of Ethics of Pavol Jozef Šafárik University in Košice (the "Code of Ethics"), the principle of good practice in scientific publishing, good research practice and the principles formulated in the Human Resources Strategy for Researchers – HRS4R.
2. A motion requesting the investigation of a breach of the Code may be submitted in writing by an employee or student of the University (the "complainant") directly to the Rector. Such a motion must be targeted and specific, i.e. it must contain the name of the person who allegedly violated the ethical principles, a description of the breach of ethical principles, and also the name of the complainant. The motion must be signed by the whistleblower and indicate whether the complainant wishes to remain anonymous. The principle of anonymity shall be respected. Anonymous submissions concerning breach of the principles of this Code shall not be considered.
3. As an autonomous entity and advisory body to the Rector, the Committee operates under its own registered office, address and contact details for independent communication and administrative work.

Article 2
Mission of the Committee

1. The activities of the Committee are not legally binding. They are understood as serving to resolve complaints and investigate situations so as to prevent unethical conduct.
2. The basic framework of ethical requirements is set out in the Code. The further mission of the Committee is specified in more detail in Article 6 of this Statute.

Article 3
Composition of the Committee and Conditions of Membership

1. In order to consider the cases of breaches of the principles or rules of the Code of Ethics and to investigate suspected violations of generally binding legal regulations and the internal regulations of UPJŠ in Košice, the Rector shall establish the following advisory bodies:
    a) the Ethics Committee of Pavol Jozef Šafárik University in Košice,
    b) an ad hoc committee in accordance with the provisions of the Statute of Pavol Jozef Šafárik University in Košice (the "ad hoc committee").

2. The Ethics Committee shall consist of nine members. It shall be composed of representatives of individual faculties and constituent parts of the University, the Chair of the Gender Equality Committee, distinguished members of the University community who have contributed to enhancing the University's reputation, a representative of the non-academic staff and a student representative. The student representative shall be nominated by the student section of the Academic Senate of UPJŠ from among the students.
3. Membership in the Committee is honorary and non-transferable.
4. The members of both the Ethics Committee and the ad hoc committee shall be appointed by the Rector.
5. The term of office of members shall be 5 years.
6. The conditions for membership are:
    a) the nominated person's written consent to be appointed as a member of the Committee;
    b) written consent to the publication of the first name, surname, workplace, and information regarding membership in the Committee;
    c) a written commitment to maintain confidentiality regarding any facts of a confidential nature related to membership in the Committee;
    d) a written commitment to disclose any facts that may give rise to a conflict of interest in relation to membership in the Committee or in relation to a particular case being examined by the Committee;
    e) ethical awareness and commitment to serving on the Committee.
7. Membership in the Committee shall cease upon expiry of the term of office, upon resignation in writing, upon the dismissal of a member upon a proposal by the Chair of the Committee, or upon death.
8. The ad hoc committee is a committee appointed by the Rector for a specific case of breach of the principles or rules set out in the Code of Ethics or violation of generally binding legal regulations and internal regulations of UPJŠ in Košice.
9. Upon the appointment of an ad hoc committee for a specific case, the investigation of a breach of the principles or rules of the Code of Ethics or the investigation of violation of generally binding legal regulations and internal regulations of UPJŠ in Košice shall fall exclusively within the competence of this ad hoc committee, unless the Rector decides otherwise.
10. In carrying out its activities, the ad hoc committee shall be guided by the Code of Ethics, the legislation of the Slovak Republic, and the internal regulations of UPJŠ in Košice. For the purpose of determining whether a breach of the Code of Ethics or suspected violation of generally binding legal regulations or the internal regulations of UPJŠ has occurred, the Committee is entitled to request from the constituent parts of UPJŠ any necessary documentation, including employment-related documentation. Employees of UPJŠ and its constituent parts (the "employees") shall provide the ad hoc committee with the necessary cooperation.
11. Membership in the ad hoc committee shall cease upon the completion of the investigation of a specific case of a breach of the principles or rules of the Code of Ethics or a violation of generally binding legal regulations and internal regulations of UPJŠ in Košice and after the Rector's acceptance of the opinion of the committee.

Article 4
Chair and Secretary of the Committee

1. The Chair of the Committee shall be appointed and dismissed by the Rector.
2. The Chair of the Committee shall convene and preside over meetings of the Committee, ensures cooperation with the bodies of the University, and represent the Committee externally.
3. The Secretary of the Committee shall be appointed and dismissed by the Rector.
4. As a rule, the Secretary shall not be a member of the Committee. The Secretary shall be bound by the confidentiality obligations referred to Article 3, paragraph 4 hereof.
5. The terms of office of the Chair and the Secretary shall be five years.
6. The Secretary of the Committee shall prepare minutes of the meetings of the Committee, receive and register suggestions and complaints, prepare documents for the meetings, maintain the paperwork for the Committee and ensure official communication of the Ethics Committee with the University management, and the persons involved in the Committee's activities in question.
7. The office of the Chair and Secretary shall cease upon expiry of the term of office, written resignation of the Chair/Secretary, the dismissal of the Chair/Secretary by the Rector or the dismissal of the Chair/Secretary by the Rector upon a proposal of the members of the Committee approved by a two-thirds majority of all its members.

Article 5
Working Conditions for the Committee's Activities

The University management shall provide the Committee with the necessary premises and technical and administrative support for the performance of its activities, in particular suitable premises for meetings of the Committee, for the work of the Secretary, and also for the secure archiving of documentation compliant with ensuring the protection of data and information under the applicable legislation and this Statute.

Article 6
Activities of the Committee

1. The Committee shall pursue an active ethics policy by:
    a) examining specific cases, receiving suggestions and complaints from employees concerning breaches of the Code of Ethics and unethical conduct;
    b) cooperating closely with the University management in order to jointly foster the moral reputation and good standing of the University;
    c) providing consultations for senior staff, HR professionals and stakeholder groups on ethically acceptable conduct and the assessment of ethical requirements;
    d) commenting, either on its own initiative or upon the request of managers or regular staff, on the ethical aspects of newly adopted documents and internal University regulations;
    e) initiating the establishment of specialised ethics committees within the University and cooperating in drafting of codes of ethics for specialised areas;

offering methodological assistance and supporting their efforts to implement ethical standards in professional practice;

f) receiving incentives aimed at improving work regarding increasing ethical culture at the University; revising and submitting proposals for amendments to the content of the Code of Ethics in response to current issues and requirements of the University, and informing the academic community thereof;

g) performing activities regarding ethics education for employees, clarifying the mission of the Code of Ethics, initiating further activities aimed at strengthening ethical culture within the academic environment; informing the University management of the proposals and initiatives and promoting them as tools for the implementation of ethics and the prevention of unethical conduct at the University.

2. The Committee may request the Rector's cooperation in discussing serious issues of ethical significance, and also in promoting ethical practices and the ethics-related aims of the University.
3. Once a year (always as of 1 January), the Committee shall submit a report to the Rector on its activities.
4. The Committee shall publish, on the University's website in an anonymised (model) form, the submissions and the results of investigations conducted by the Ethics Committee.

PART TWO
Rules of Procedure of the Committee

Article 7
Meetings of the Committee

1. Meetings of the Committee shall be convened by the Chair of the Committee as needed and depending on the current needs.
2. The Chair of the Committee shall notify the members of the Committee (in writing or electronically) of the date and agenda of the meeting of the Committee no later than 1 week before the scheduled date of the meeting.
3. Meetings of the Committee shall not be public. Attendance shall be limited to members of the Committee and invited participants to whom the deliberations of the Committee may relate or who may be affected by the conclusions of the Committee. Invited external experts without the right to vote may also attend the meeting, if necessary.
4. The deliberations, minutes, and all materials connected with the activities of the Committee, except for statements, opinions, conclusions, and documents intended for publication, shall be confidential.
5. The absence of a member from a meeting of the Committee must be duly justified. The regular or prolonged absence throughout the year (more than half of the meetings) from the meetings of the Committee shall be considered grounds for loss of entitlement to membership, and the Chair of the Committee shall initiate the replacement of the member.

Article 8
Decision-making by the Committee

1. The Committee shall decide, no later than six weeks after the date on which a case is submitted to it, whether there has been a breach of generally accepted principles or of the principles and rules of the Code of Conduct. In complex cases, the Rector may, at the request of the Chair of the Committee, extend the deadline and set a new deadline.
2. The Committee shall adopt its decisions by voting. The Committee's voting shall be public.
3. Only the appointed members of the Committee may participate in voting.
4. The Committee shall have a quorum if more than half of all its members (including the Chair of the Committee) are present.
5. The decisions and opinions of the Committee shall be approved by a simple majority of the votes of all its members. A member of the Committee voting against a proposal shall have the right to have their dissenting opinion recorded in the minutes of the meeting.
6. Members of the Committee who are presumed to have a conflict of interest shall be excluded from voting. In the event of a conflict of interest, the particular member of the Committee shall also not take part in the deliberations of the Committee to which the conflict of interest relates.
7. During its deliberations, the Committee may request additional documents and information necessary for its decision. The complainant shall be notified of such request and shall be required to complete the documentation within 30 days of receipt of the notification. If the documentation is not completed within this period, the complainant shall be deferred.
8. Minutes shall be prepared for every meeting of the Committee, containing: the date and venue of the meeting, a list of the members present, (the attendance list), a list of invited guests present, the main points of discussion, a record of the decision taken, including voting results, and the signature of the Chair of the Committee.
9. The members of the Committee shall respect all measures to ensure the protection and confidentiality of data, information, and documentation related to the activities of the Committee in accordance with legal regulations and the Rules of Procedure of the Committee.
10. When considering complaints, suggestions, and proposals submitted for resolution by the Committee, the following procedure is recommended:
    a) the Committee shall accept complaints and proposals for solutions in writing and signed by the complainant(s), indicating whether the complainant wishes to remain anonymous, in which case the principle of anonymity shall be respected;
    b) complaints that do not identify the complainant(s) shall not be considered for review and shall be retained only as confidential information;
    c) the Committee may invite the complainant or the author of the complaint or proposal to a meeting of the Committee in order to clarify or supplement the complaint in question;
    d) if invited, the complainant is not obliged to attend the deliberations of the Committee; in such a case, the written complaint shall be considered only on the basis of the submitted materials;
    e) the Committee shall always endeavour to reach a conclusion at its meeting as to whether or not a breach of the principles of the Code has occurred;

f) the employee who is the subject of the allegation of breach of the principles of the Code shall be informed of the nature of the complaint, shall be invited to attend the meeting, and shall have the right to comment on the complaint in question;
g) the Committee shall assess the complaint and conclude as follows: no breach of the Code, minor, moderate breach, or serious breach of the Code; the degree of the breach shall be communicated to the Rector within two weeks of the meeting of the Committee;
h) employee proposals concerning ethical solutions shall be assessed by the Committee in light of the University's objectives and capacities as well as their ethical relevance;
i) the complainant shall be informed of the conclusions within two weeks of the matter being discussed by the Committee;
j) the Committee may refuse to consider complaints and submissions that are vulgar, non-specific, ideological in nature, insult human dignity or damage the reputation of the University and its entities;
k) the Committee may require individuals who have committed a minor ethical misconduct to apologise either publicly (where a broader community has been affected) or personally (where a single person has been affected) in the presence of at least one member of the Committee. Such an act shall be recorded as an acknowledgement of moral failing, a form or moral reconciliation, and as an expression of willingness to resolve the matter ethically. This act shall be documented in the minutes of the Committee and in the annual report of the Committee;
l) the Committee may publish the necessary information on the University's website; this may include cases (model situations) involving minor or serious breaches of ethical standards.

Article 9
Documentation and Archiving

1. The Secretary of the Committee shall be responsible for maintaining the archives of the Committee.
2. The documents shall be retained for a period of five years in accordance with the procedure laid down in the University's records retention rules.
3. The Committee shall keep, in particular, the following documents: the Statute and the Rules of Procedure of the Ethics Committee of Pavol Jozef Šafárik University in Košice, the records of the composition of the Committee with their consenting opinions, all documents submitted, minutes of the Committee meetings, including conclusions and opinions, the necessary decrees and laws, and records of incoming and outgoing correspondence.

Article 10
Final Provisions

1. This Decision shall become valid and effective on the date of its signature by the Rector.

2. Upon the entry into force of this Decision, the Rules of Procedure of the Ethics Committee of Pavol Jozef Šafárik University in Košice No.: 2022/2013 dated 20 May 2013 and Amendment No. 1 to the Code of Ethics of Pavol Jozef Šafárik University in Košice No. 1565/2016 of 23 May 2016 cease to be valid or in force.

prof. RNDr. Pavol Sovák, CSc.
Rector