



Guarantor: Department of the Rector

Košice 12.12.2022

No. REK000174/2022-ÚPA/5716

**Decision of the Rector No. 21/2022,  
issuing the statute and rules of procedure of the ethics committee of Pavol  
Jozef Šafárik University in Košice and its constituent parts**

In accordance with the provisions of Section 15(1)(n) of Act no 131/2002 on higher education institutions and on the amendment of certain acts, as amended

**I hereby issue**

this Decision issuing the Statute and the Rules of Procedure of the Ethics Committee of Pavol Jozef Šafárik University in Košice and its constituent parts (the “Statute”).

**Preamble**

As part of the European Education and Research Area, Pavol Jozef Šafárik University in Košice (“UPJŠ” or the “university”) contributes by providing quality higher education based on real world needs and by developing new knowledge through creative scientific and artistic research for the development of moral, authentic and socially responsible personalities.

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

Pavol Jozef Šafárik University in Košice, as an educational and scientific institution committed to the highest ethical standards regarding scientific integrity with the aim of strengthening the ethical aspect of scientific activity, and also increasing the trust of the public and the international research community in Slovak research institutes, 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 University (the “Commission”) is an independent expert advisory and consultative body of the Rector of Pavol Jozef Šafárik University in Košice (the “Rector”), which examines ethical issues, promotes and supervises the correct implementation and observance of the principles of the Code of Ethics of Pavol Jozef Šafárik University in Košice (the “Code of Ethics”), good practice in scientific publishing, good research practice and the principles formulated in the Human Resources Strategy for Researchers – HRS4R.
2. An investigation into a breach of the Code may be made by an employee or student of the university (the “whistleblower”) directly to the Rector, in writing. The initiative to investigate a breach of the principles must be targeted and specific, i.e. it must contain the name of the person who violated the ethical principles, a description of the breach of ethical principles, and also the name of the whistleblower. The whistleblower must sign the complaint and indicate whether he or she wishes to remain anonymous. The institution of anonymity must be respected. Anonymous complaints of violations of the principles of this Code shall not be taken into account.
3. As an autonomous entity and advisory body to the Rector, the Commission presents itself with its headquarters, address and its own contact for independent communication and administrative work.

#### **Article 2**

##### **Mission of the Commission**

1. The activities of the Commission are not legally binding. It is to be understood as an activity that helps to resolve complaints and investigate situations so as to prevent unethical behaviour.
2. The basic framework of ethical requirements is expressed in the Code. The further mission of the Commission is specified in more detail in Article 6 of this Statute.

#### **Article 3**

##### **Composition of and Conditions of Membership of the Commission**

1. In order to discuss cases of violation 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 as his/her advisory bodies:
  - a) the Ethics Committee of Pavol Jozef Šafárik University in Košice,
  - b) an ad hoc commission in accordance with the provisions of the Statute of Pavol Jozef Šafárik University in Košice (the “Ad Hoc Commission”).
2. The Ethics Committee shall consist of nine members. It is composed of representatives of individual faculties of the university and its constituent parts, the chair of the gender equality commission, eminent personalities of the university who have contributed to spreading its reputation, a representative of the non-teaching staff and a representative

- of the students. The student representative is proposed by the student section of the Academic Senate of UPJŠ from among the students.
3. Membership of the Commission is an honour and members may not be represented by proxies.
  4. The members of both the commission and the ad hoc commission shall be appointed by the rector.
  5. The term of office of members shall be 5 years.
  6. Conditions for membership are:
    - a) the nominated person's written consent to his or her appointment as a member of the Commission,
    - b) written consent to the publication of the first name, surname, place of work and information on membership of the Commission,
    - c) a written undertaking to treat as confidential any facts of a confidential nature relating to membership of the Commission,
    - d) a written undertaking to disclose any facts which would give rise to a conflict of interest in relation to membership of the Commission or in relation to a particular case being examined by the Commission,
    - e) ethical sensibilities and commitment to working in the Commission.
  7. Membership of the Commission shall cease upon expiry of the term of office, upon resignation in writing, upon the dismissal of a member pursuant to a proposal from the Chair of the Commission, or upon death.
  8. The ad hoc commission is a commission appointed by the Rector for a specific case of violation of the principles or rules of the Code of Ethics or violation of generally binding legal regulations and internal regulations of UPJŠ in Košice.
  9. When appointing an ad hoc commission on a specific case, the investigation of a violation of the principles or rules of the Code of Ethics or the investigation of violations of generally binding legal regulations and internal regulations of UPJŠ in Košice falls exclusively within the competence of this ad hoc commission, unless the Rector provides otherwise.
  10. In its activities, the ad hoc Commission is guided by the Code of Ethics, the legislation of the Slovak Republic and the internal regulations of UPJŠ in Košice. In order to discover reasons for a finding of a violation of the Code of Ethics or suspected violations of generally binding legal regulations or the internal regulations of UPJŠ, the Commission is entitled to request from the constituent parts of UPJŠ any necessary documentation, including that relating to labour law. Employees of UPJŠ and its constituent parts ("employees") are obliged to provide the Commission with the necessary cooperation on an ad hoc basis.
  11. Membership in the ad hoc commission ceases after investigation of a specific case of violation of the principles or rules of the code of ethics or violation of generally binding legal regulations and internal regulations of UPJŠ in Košice and after the rector's acceptance of the opinion of the commission.

#### **Article 4**

##### **Chair and Secretary of the Commission**

1. The Chair of the Commission shall be appointed and dismissed by the Rector.

2. The Chair of the Commission convenes and directs the meetings of the Commission, ensures synergy with the bodies of the University, and represents the Commission externally.
3. The Secretary of the Commission shall be appointed and dismissed by the Rector.
4. As a general rule, the Secretary shall not be a member of the Commission. The Registrar shall be bound to secrecy as provided in point 4 of Article 3 of these Statute.
5. The terms of office of the Chair and the Secretary shall be five years.
6. The Secretary of the Commission writes the minutes of the meetings of the Commission, receives and records suggestions and complaints, prepares documents for the meetings, keeps paperwork for the Commission and performs official communication of the Ethics Committee with the management of the University and the persons who are represented in the commission's activities in question.
7. The office of the Chair of the Commission and Secretary shall cease on expiry of the term of office, upon the written resignation of the chair/secretary, the dismissal of the chair/secretary by the rector or the removal of the chair/secretary by the rector pursuant to a proposal from the members of the Commission, approved by a two-thirds majority of all its members.

**Article 5**  
**Working Conditions for the Commission's Activities**

The management of the University shall provide space and technical and administrative requirements for the activities of the Commission, in particular suitable premises for holding meetings of the Commission, 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 Commission**

1. The Commission develops an active ethical policy by:
  - a) examining specific cases, receiving suggestions and complaints from employees about violations of the Code and unethical conduct;
  - b) cooperating closely with the university's management in order to create the moral reputation and good name of the university together,
  - c) providing consultations for senior staff, HR professionals and interest groups on ethically acceptable behaviour and the assessment of ethical requirements;
  - d) expressing itself, unprompted or at the request of managers and also ordinary staff, on the ethical aspects of newly adopted documents and intra-university regulations,
  - e) initiating the creation of specialized ethics committees at the university and cooperating in the development of codes of ethics for specialized areas; offering them methodological assistance and supporting them in their efforts to implement ethical standards in professional life;

- f) receiving incentives to improve work regarding increasing ethical culture at the university; modifying and submitting proposals for changes to the content of the code of ethics depending on the current problems and requirements of the university, informing the academic community,
  - g) developing activities regarding ethical education of employees, clarifying the mission of the Code of Ethics, initiating other activities aimed at increasing ethical culture on campus; it informs the university management about the proposals and intentions and promotes them as tools for the implementation of ethics and a means of preventing unethical behaviour at the university.
2. The Commission may ask the Rector to cooperate in discussing serious issues of ethical importance, and also in promoting ethical practices and the ethics-related aims of the university.
  3. Once a year (always as of 1 January), the Commission submits a report to the Rector on its activities.
  4. The Commission publishes, on the university's website in an anonymised (model) form, the submission and the results of the ethics committee's investigations.

## **PART TWO**

### **Rules of Procedure of the Commission**

#### **Article 7**

#### **Meeting of the Commission**

1. A meeting of the Commission shall be convened by the Chair of the Commission as needed and depending on the current situation.
2. The Chair of the Commission shall notify the members of the Commission (in writing or electronically) of the date of the meeting of the Commission and also of the agenda for the meeting of the Commission not later than 1 week before the date of the meeting.
3. The meeting of the Commission shall not be public. It shall be attended only by members of the Commission and invited participants to whom the deliberations of the Commission may relate or who may be affected by the conclusions of the Commission. Invited external experts without the right to vote may also attend the meeting, if necessary.
4. The deliberations, minutes and all material connected with the activities of the Commission, with the exception of statements, opinions and conclusions or documents intended for publication, shall be confidential.
5. The absence of a member from a meeting of the Commission shall be excused. In the event of regular or prolonged one-year absence (more than half of the meetings) from the meetings of the Commission, it shall be treated as a loss of entitlement to membership and the Chair of the Commission shall initiate the replacement of the member.

## **Article 8**

### **Decision-making by the Commission**

1. The Commission shall decide, no later than six weeks after the date on which a case is referred 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 Commission, extend the deadline and set a new deadline.
2. The Commission shall take its decision by vote. The commission's votes shall be in public.
3. Only the appointed members of the Commission shall take part in the vote.
4. The Commission shall be quorate if more than one-half of all its members (including the Chair of the Commission) are present.
5. The decision or opinions of the Commission shall be adopted by an absolute majority of the votes of all its members. A member of the Commission who votes against a proposal shall have the right to have his/her position set out in the minutes of the meeting.
6. Members of the Commission 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 Commission shall also not take part in the deliberations of the Commission to which the conflict of interest relates.
7. When discussing the programme, the Commission may request further documents and information for its decision, informing the applicant of this, who shall be obliged to complete the documentation within 30 days of receipt of the notification. If the documentation is not completed within this period, the application shall be deferred.
8. A record shall be drawn up of each meeting of the Commission, containing: date and place of the proceedings, 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 the results of the vote, and the signature of the Chair of the Commission.
9. The members of the Commission shall respect all measures to ensure the protection and confidentiality of data, information and documentation connected with the activities of the Commission in accordance with legal regulations and the rules of procedure of the Commission.
10. When assessing complaints, suggestions and proposals for resolution by the Commission, the following procedure is recommended:
  - a) the Commission receives complaints and proposals for solutions in writing signed by the complainant(s) indicating whether the complainant wishes to remain anonymous, in which case the state of anonymity is respected;
  - b) a complaint which does not mention the name of the complainant(s) shall not constitute grounds for a hearing and shall be retained only as confidential information;
  - c) the Commission may invite the complainant or the author of the complaint or proposal to a meeting of the Commission to supplement and make more specific the complaint in question;
  - d) even if the complainant is invited, he or she does not need to attend the deliberations of the Commission; in that case, the written complaint is considered in the context of the submitted material,
  - e) the Commission will always endeavour to reach a conclusion at its meeting as to whether or not there has been a breach of the principles of the Code,

- f) the staff member who is the subject of the allegation of infringement of the principles of the Code must be informed of the nature of the complaint, shall be invited to attend a meeting and shall have the right to comment on the complaint in question,
- g) the Commission shall assess the complaint with an assessment of: there has been no breach of the Code, or a slight breach, moderate breach or serious breach of the Code; the degree of the infringement shall be notified to the rector within two weeks of the meeting of the commission,
- h) employees; ideas for ethical solutions will be assessed by the commission in the light of the university's aims and capabilities, and also their ethical relevance,
- i) the proposers shall be informed of the conclusions within two weeks of the discussion by the Commission,
- j) the Commission may refuse to hear complaints and suggestions that are vulgar, undirected and ideological in nature, insult human dignity or discredit the university and its subjects;
- k) The Commission may require persons who have been found to be moderately guilty in moral terms to apologise publicly (where the wider community is affected) or in person (in the case of one person concerned) in the presence of at least one member of the Commission. This act is recorded as an expression of recognition of moral failing, a form of moral reconciliation and also as a willingness to solve a problem ethically. This act shall be mentioned in the minutes of the Commission and also in the annual report of the Commission,
- l) The commission may publish the necessary information on the university's web portal, this may include cases (model situations) of moderate or serious breaches of ethics.

## **Article 9 Documentation and Archiving**

1. The Secretary of the Commission shall be responsible for maintaining the archives of the Commission.
2. The documents are kept for five years, following the procedure laid down in the university's registry rules.
3. In particular, the Commission shall keep the following documents: the statute and rules of procedure of the ethics committee of Pavol Jozef Šafárik University in Košice, the composition of the commission with their consenting opinions, all documents submitted, minutes of the commission's activities with conclusions and opinions, the necessary decrees and laws, records of mail received and sent.

## **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 20.5.2013

and Appendix No. 1 to the Code of Ethics of Pavol Jozef Šafárik University in Košice No. 1565/2016 of 23.5.2016 cease to be valid or in force.

Prof. RNDr. Pavol Sovák, CSc.  
rector