University of Chemistry and Technology, Prague

Title	DIRECTIVE No. A/S/961/6/2025
Subject	**Internal Reporting System**
Applicability	All university
Effective from	24 March 2025
Effective to	Unlimited
Revision	-
Cancelled	A/S/961/1/2022
Prepared by	962 – Bursar's Secretariat, 961 – Rector's Secretariat
Issued by	Prof. Ing. Milan Pospíšil, CSc., Rector

This translation is provided for convenience only. The Czech version is the legally binding version. In case of any inconsistency or ambiguity, the Czech version shall prevail.

PART ONE
Introductory provisions

Article 1
Basic provisions

(1) This Directive governs the reporting of possible unlawful conduct (hereinafter referred to as the 'Directive') as regulated by:

a. Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law (hereinafter referred to as the 'EU Directive') and related legal regulations; and

b. Act No. 171/2023 Coll., on Protection of Whistleblowers (hereinafter referred to as the 'Whistleblower Protection Act').

(2) The updated texts of Community legal regulations is available at http://eur-lex.europa.eu/cs/index.htm and the unofficial updated texts of Czech legal regulations is available, for example, at https://www.zakonyprolidi.cz/; the Whistleblower Protection Act is available, for example, at https://www.zakonyprolidi.cz/cs/2023-171

(3) This Directive implements an Internal Reporting System (hereinafter referred to as 'IRS') at the University of Chemistry and Technology, Prague (hereinafter referred to as 'UCT Prague'), which is a set of internal processes and tools that are designed to receive reports on possible unlawful conduct,

handle them, protect the whistleblower and other persons, both their identity and protecting them against retaliatory measures, protect the information included in the reports and communicate with the whistleblower.

Article 2
Material scope

(1) This Directive applies to possible unlawful conduct that:
   a. constitutes a criminal offence,
   b. constitutes an administrative offence for which the law prescribes a fine with an upper limit of at least CZK 100,000,
   c. violates the Whistleblower Protection Act, or
   d. violates another legal regulation or a regulation of the European Union in the area of
      1. financial services, statutory audits and other assurance services, financial products and financial markets,
      2. corporate income tax,
      3. prevention of money laundering and terrorist financing,
      4. consumer protection,
      5. product compliance and safety requirements,
      6. transport safety and road traffic safety,
      7. environmental protection,
      8. food and feed safety, and animal protection and health,
      9. radiation protection and nuclear safety,
      10. competition, public auctions and public procurement,
      11. protection of public order and security, life, and health,
      12. protection of personal data, privacy, and the security of electronic communications networks and information systems,
      13. protection of the financial interests of the European Union[2)], or
      14. the functioning of the internal market[3)] including the protection of competition and state aid under European Union law.

[2)] Article 325 of the Treaty on the Functioning of the European Union.
[3)] Article 26(1)(2) of the Treaty on the Functioning of the European Union.

Article 3
Personal scope

(1) This Directive applies to natural persons who have, in the performance of their work, obtained information about possible unlawful conduct falling within the material scope of this Directive that is intended to take place at UCT Prague.

(2) This Directive also applies to natural persons who have, in the performance of their work, obtained information about possible unlawful conduct falling within the material scope of this Directive during their work or other similar activity, also in case this relationship has meanwhile ended, as well as to natural persons whose employment relationship or other similar activity will begin in the future, provided the information about possible unlawful conduct has been obtained during the recruitment process or other precontractual negotiations.

(3) For the purpose of this Directive, work or other similar activity refers to:

a. Dependent work performed within a basic employment relationship,
b. Service,
c. Voluntary activity, or
d. Professional practice, internship.

(4) The measures for the protection of whistleblowers set out in Section 4 of the Whistleblower Protection Act, in particular, the prohibition of retaliatory measures, also apply to:
a. a person who provided assistance in ascertaining the information contained in the report, in submitting the report or in assessing its merits,
b. a person who is a closely related person of the whistleblower,
c. a person who is an employee or colleague of the whistleblower,
d. a person controlled by the whistleblower,
e. a legal entity in which the whistleblower holds an interest, an entity controlling it, an entity controlled by it or an entity that is controlled by the same controlling person as this legal entity,
f. a legal entity in whose elected body the whistleblower serves as a member, an entity controlling or controlled by it, or an entity controlled by the same controlling person,
g. a person for whom the whistleblower performs work or other similar activity, or
h. a trust fund of which the whistleblower, or a legal entity referred to in letter e) or f), is the founder or a beneficiary, or in relation to which the whistleblower, or a legal entity referred to in letter e) or f), is a person who significantly increases the assets of the trust fund by way of a contract or a disposition in the event of death.

Article 4
Definition of certain terms

For the purpose of this Directive:

(1) ‘possible unlawful conduct’ refers to conduct or omission within the material scope of this Directive that
a) is unlawful, or
b) frustrates the subject or purpose of the rules that fall within the material scope of this Directive.

(2) ‘information about possible unlawful conduct’ refers to valid information, including reasonable suspicions, regarding actual or potential unlawful conduct that has occurred or is highly likely to occur at UCT Prague, as well as attempts to conceal such potential unlawful conduct.

(3) ‘reporting’ refers to oral or written provision of information about possible unlawful conduct.

(4) ‘disclosure’ refers to making public information about possible unlawful conduct.

(5) ‘whistleblower’ refers to a natural person who reports or discloses information about possible unlawful conduct.

(6) ‘retaliatory measure’ refers to conduct or an omission thereof in connection with the work or other similar activity of the whistleblower that was caused by the report submitted and that may do harm to the whistleblower or the person referred to in Article 3, Para 4.

(7) ‘measure’ refers to any measure adopted by the obliged entity of the reporting or any relevant authority in order to assess the veracity of the allegations made in the report and possibly to address the reported breach, including measures such as internal inquiries, investigations, prosecutions, actions for the recovery of funds and the closure of proceedings.

(8) ‘feedback’ refers to provision of information to the reporting persons about the planned or adopted measures and about the reasons for the follow-up measures.

Article 5
Designated person

(1) Persons designated to receive reports, investigate them and propose follow-up measures are persons appointed by the Rector of UCT Prague (hereinafter referred to as the ‘designated person’).

(2) The designated person is, in connection with the performance of their duties under Section 11 of the Whistleblower Protection Act, bound by confidentiality. The duty of confidentiality of the designated person continues also after their authorisation is terminated as well as after their employment relationship with UCT Prague ends. The designate person cannot the penalised for the proper performance of their duties under this Directive.

Article 6
Conditions of protection of whistleblowers

(1) Whistleblowers are entitled to protection if:

a) they had justified reasons to believe that the report they submitted was based on truthful information; and
b) They have submitted a report pursuant to this Directive or otherwise in accordance with the Whistleblower Protection Act, they have submitted a report to a public authority under another legal regulation or a directly applicable EU legislation.

PART TWO
Internal reporting and follow-up measures

Article 7
Information about the possibility to report

(1) UTC Prague will publish on the UCT website information about reporting possible unlawful conduct, in particular
a) regarding the process of reporting through the Higher Education Trade Union and to the Ministry of Education;
b) identification of the designated person, their telephone number and email address or another address of service; and
c) that UCT Prague will not accept reports from persons that do not perform work or other similar activity for UCT Prague under Section 2, Para 3, letters a), b), h) or i) of the Whistleblower Protection Act; and
d) an appeal to submit reports through the Higher Education Trade Union, if the possible unlawful conduct may be effectively resolved internally a if the whistleblower believes that there is no risk of retaliatory measures;
e) that UCT Prague will not assess anonymous reports about possible unlawful conduct;
f) a link to this Directive, the Whistleblower Protection Act and Directive (EU) 2019/1937.

Article 8
Requirements on the internal reporting system

(1) The internal reporting system for receiving reports must be designed, implemented and operated in a secure manner to ensure the protection of the confidentiality of the identity of the whistleblower and any third parties mentioned in the report and prevent access by unauthorised persons.

(2) The Computer Centre (990) is responsible for the technical operation of the internal reporting system, while complying with the instructions of the designated person.

Article 9
Reporting via the internal reporting system

(1) Reports in the internal reporting system can be made in writing through the online application Whispero available at https://app.whispero.eu/submit s unikátním kódem 452444292.

(2) Reports can be also made orally by phone to the designated person's number or in an in-person meeting with the designated person within a reasonable time.

(3) A report in accordance with Section 2, Para 2 of the Whistleblower Protection Act shall include information about the full name and date of birth, or possibly other information that can be used to determine the identity of the whistleblower; it is presumed that the information about the whistleblower's identity is true. The report does not need to include the information referred to in the first sentence if it was submitted by a person whose identity is known to the designated person.

(4) Reports submitted orally shall be recorded in the form of an audio recording or a written record that depicts the essence of the oral report as accurately as possible. An audio recording may be made solely with the consent of the whistleblower.

(5) A whistleblower who has made a report orally will be allowed to comment on the audio recording or written record. The whistleblower's comment as referred to in the first sentence will be attached to the audio recording or written record.

Article 10
Procedure after receipt of report

(1) The designated person will confirm receipt of the report to the whistleblower within 7 days of receiving it, unless this has occurred automatically, except where
a) the whistleblower has expressly requested not be notified by the designated person of the receipt of the report, or
b) it is evident that providing such notification would reveal the whistleblower's identity to another person.

(2) The designated person will, without undue delay and no later than within 30 days, assess the validity of the report and will notify the whistleblower in writing about the outcome of their assessment. In cases that are factually or legally complex, this period may be extended by up to 30 days, for a maximum of two such extensions. The designated person must notify the whistleblower in writing of any extension and the reasons for it before the period expires, unless Para 1 of this Article applies.

(3) Students, employees and members of the of the UCT Prague bodies must, without undue delay, assist the designated person in investigating the report, submit to them, upon a request in writing, documents or copies of relevant documents and other materials necessary for the investigation of the report, or provide an explanation.

(4) If the designated person determines, when assessing the validity of a report, that it does not constitute a report under this Directive, they will notify the whistleblower without undue delay.

(5) If the designated person finds the report to be valid, they will propose measures to the Rector of UCT Prague to prevent or rectify the unlawful situation. The Rector will, without undue delay, decide on the implementation of the proposed measure or other appropriate measures, or determine that the report is unfounded. The relevant body of UCT Prague will promptly notify the designated person of the measure adopted and the designated person will, in turn, notify the whistleblower of this in writing without undue delay. If UCT Prague does not adopt the measure proposed by the designated person, it will adopt another appropriate measure to prevent or rectify the unlawful situation.

(6) The relevant body of UCT Prague will notify, without undue delay, the designated person of the received report and the designated person will, in turn, notify the whistleblower of this in writing without undue delay, unless this is prevented by reasons for not confirming the receipt of the report as defined in Para 1 of this Article.

(7) If the report is not found valid, the designated person will notify the whistleblower in writing without undue delay that based on the facts included in the report and the circumstances that they are aware of, they have not found any suspicion of unlawful conduct or have determined that the report is based on false information, and will inform the whistleblower of their right to submit a report to a public authority.

Article 11
Maintaining confidentiality

(1) The designated person will not provide information that could frustrate or jeopardise the purpose of reporting. This obligation will also apply to a third party who gains access to reports or the records of data on received reports in violence of Section 21, Para 3 of the Whistleblower Protection Act.

(2) The information about the identity of the whistleblower and the person pursuant to Section 4, Para 2 of the Whistleblower Protection Act may be provided only with their written consent unless the designated person is obliged to provide this information to the relevant public authorities under other legal regulations. This also applies to any other information from which the identity of the whistleblower may be deduced, directly or indirectly.

(3) If the designated person provides information regarding the identity of the whistleblower to a public authority pursuant to Para 2 of this Article, they are obliged to notify the whistleblower in advance, stating the reasons why they are obliged to provide the information about their identity and to allow the whistleblower to comment on the provision of such information.

(4) Personal data that are evidently irrelevant for the resolution of the given report will not be gathered and if they are obtained by accident, they will be deleted without undue delay.

Article 12
Maintaining and retaining records of reports

(1) The designated persons in obliged to maintain an electronic record of the information about received reports in the following scope:
    a. The date of the reception of the report
    b. First name, last name, date of birth and contact address of the whistleblower, or other information from which the identity of the whistleblower may be deduced, if this information is known to them
    c. Summary of the content of the report and the identification of the person against whom the report was directed, if their identity is known
    d. The date when the assessment of the validity of the report by the designated person ended and its outcome

(2) The designated person is obliged to retain the reports submitted through the Higher Education Trade Union and documents related to the report for a period of 5 years from the date of the receipt of the report.

(3) In case of reports submitted through the Higher Education Trade Union, only the designated person has access to the records under Para 1 of this Article, documents related to the report and the reports retained under Para 2 of this Article.

PART THREE
Prohibition of retaliatory measures

Article 13

(1) For the purposes of this Directive, a retaliatory measure refers to conduct or an omission thereof in connection with the work or other similar activity of the whistleblower that was caused by the report submitted and that may do harm to the whistleblower or the person under Section 4, Para 2 of the Whistleblower Protection Act.

(2) Any form of retaliatory measures, including the threat of retaliatory measures or any attempts at retaliatory measures is prohibited.

(3) Retaliatory measures include in particular

    a. termination of an employment relationship or non-renewal of a fixed-term employment relationship,
    b. relief from the performance of service duties, placement outside the performance of service duties, or termination of a service relationship,
    c. cancellation of a legal relationship established by a work performance agreement (‘DPP’ in Czech) or a work activity agreement (‘DPČ’ in Czech),
    d. removal from a managerial position or from a supervisory service position,
    e. imposition of a disciplinary measure or disciplinary sanction,
    f. reduction of wages, salary or remuneration, or failure to grant a monthly salary supplement,
    g. transfer or reassignment to different work or to a different service position,
    h. a service evaluation or a work performance assessment,

i. denial of professional development opportunities,
j. a change in working hours or service hours,
k. a requirement to obtain a medical opinion or undergo an occupational medical examination,
l. notice or withdrawal from an agreement, or
m. an infringement of the right to the protection of personality.

PART FOUR
Final provisions

Article 14
Cancellation provisions

Internal directive A/S/961/1/2022 'Oznamování porušení práva EU interním kanálem' (Reporting Breaches of EU Law via an Internal Channel) is cancelled.

Article 15
Effectiveness

This Directive comes to effect on the day it is published and it comes to force on 24 March 2025.

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