

INTERNAL PROCEDURE FOR REPORTING BREACHES OF LAW

§ 1

General Rules

The procedure defines the rules for reporting breaches of law indicated in the Act of 14 June 2024 on the Protection of Whistleblowers.

§ 2

Definitions of terms

Whenever the Ordinance mentions the following terms:

- 1) Procedure – it means a set of rules defining the internal procedure for reporting breaches of law and proceedings if such events occur;
- 2) Act – it means the Act of 14 June 2024 on the Protection of Whistleblowers (Journal of Laws, item 928);
- 3) University – it means Poznan University of Technology;
- 4) Breach of law – it means an act or nonfeasance which is unlawful or intended to circumvent the law, and relates to:
 - a) corruption;
 - b) public procurement;
 - c) financial services, products and markets;
 - d) counteracting money laundering and financing terrorism;
 - e) product safety and product compliance with requirements;
 - f) transport safety;
 - g) environmental protection;
 - h) radiological protection and nuclear safety;
 - i) food and feed safety;
 - j) animal health and welfare;
 - k) public health;
 - l) consumer protection;
 - m) protection of personal data and privacy;
 - n) security of ICT networks and systems;
 - o) financial interests of the State Treasury of the Republic of Poland, local government units, and the European Union;
 - p) internal market of the European Union, including public law principles of competition, state aid, and corporate income taxation;
 - q) constitutional liberties and human and citizen's rights – present in relations between an individual and public authorities and not related to the areas indicated in subpoints a–p;
- 5) Information about a breach of law – it means information, including a reasonable suspicion regarding an existing or potential breach of law, that has occurred or is likely to occur at the University;
- 6) Internal report – it means a written provision of information to the University about a breach of law;
- 7) Internal entity – it means an internal organizational unit or a person within the organizational structure of the University, authorized by the University to accept internal reports;
- 8) Whistleblower – it means a natural person who reports or publicly discloses information about a breach of law obtained in a work-related context;
- 9) Feedback – it means information provided to a whistleblower about planned or undertaken follow-up actions and reasons for such actions;
- 10) Follow-up action – it means an action taken by the University to assess the truthfulness of the information contained in a report and to counteract a breach of law being the subject of a report;
- 11) Retaliatory steps – it means a direct or indirect act or nonfeasance in a work-related context which is caused

by a report or public disclosure and which violates or may violate whistleblower rights or causes or may cause unjustified damage to a whistleblower, including groundless initiation of proceedings against a whistleblower;

12) University organizational unit – it means university units in the current structure of the University.

§ 3

Internal entity authorized to accept reports

1. The internal entity authorized to accept reports at Poznan University of Technology is the Data Protection Officer.
2. The Data Protection Officer is appointed and dismissed by the Rector.
3. The Data Protection Officer keeps a register of internal reports, which includes:
 - 1) a report number;
 - 2) the subject of a breach of law;
 - 3) personal data of a whistleblower and a person which a given report concerns, necessary to identify them;
 - 4) a whistleblower's contact address;
 - 5) a report submission date;
 - 6) information about follow-up actions;
 - 7) a case closing date.
4. Personal data and other information in the Internal Report Register are stored for a period of 3 years after the end of the calendar year in which the follow-up actions were completed or the proceedings initiated by those actions were concluded.
5. The data referred to § 3 section 4 are confidential. When storing, processing and making them available to authorized entities, the procedures referred to in Article 27 of the Act must be followed.

§ 4

Internal reporting procedure

1. Complaints can be reported by natural persons who report or publicly disclose information about a breach of law obtained in a work-related context, including:
 - 1) University employees;
 - 2) University temporary employees;
 - 3) persons performing work on a basis other than an employment relationship, including a civil law contract;
 - 4) entrepreneurs;
 - 5) proxies;
 - 6) shareholders or partners;
 - 7) members of a body of a legal entity or of an organisational entity without legal personality;
 - 8) persons performing work under the supervision and management of a contractor, subcontractor or supplier;
 - 9) interns;
 - 10) volunteers;
 - 11) trainees.
2. The Ordinance also applies to a natural person referred to in section 1, in the event of reporting or publicly disclosing information about a breach of law obtained in a work-related context before entering into an employment relationship or other legal relationship constituting the basis for the performance of work or services or performance of functions at the University or for the benefit of the University, or after their termination.
3. Any person who has obtained information about a breach of law may report it by:

- 1) sending a complaint in written form via the Central Office to the following address: Data Protection Officer of Poznan University of Technology, pl. M. Skłodowskiej-Curie 5, 60-965 Poznań;
 - 2) the form is available on: <https://put.poznan.pl/sygnalista>;
 - 3) e-mail address: sygnalista@put.poznan.pl.
4. The information referred to in section 3 must include:
 - 1) a detailed description of a breach of law and the circumstances surrounding it,
 - 2) personal data of a person submitting a report and, optionally, contact details enabling confirmation of the acceptance of a report and further communication with a person submitting a report. The confirmation of accepting a report takes place within 7 days from the date of its receipt unless a person submitting a report has not provided the address to which the confirmation should be sent.
 5. The internal entity authorized to accept reports analyzes it and, if necessary, consults it with the University organizational units in order to verify the substantiation of breaches of law and immediately takes further follow-up actions:
 - 1) after ascertaining that the circumstances proving the possibility of a breach of law have been substantiated, the case is referred to the Rector;
 - 2) after ascertaining that the circumstances proving the possibility of a breach of law have not been substantiated, the report is found unjustified and the case is referred to the Rector.
 6. The final decision regarding a report is made by the Rector.
 7. No proceedings are initiated regarding reports if information about a breach of law has been reported on the basis of separate provisions, in particular as a complaint or report of a suspected offence.
 8. No proceedings are initiated regarding reports if a breach of law affects only the rights of a person submitting a report or a report of a breach of law takes place only in the individual interest of a person submitting a report.
 9. Anonymous reports are not pursued.
 10. Personal data contained in a complaint will not be made available to persons not involved in the clarifying process unless expressly consented to do so by a person submitting a report.
 11. All University organizational units are obliged to immediately provide assistance in the case clarifying process.
 12. The internal entity authorized to accept reports confirms the acceptance of a report to a person submitting a report within 7 days from the date of its receipt unless a person submitting a report has not provided the address to which the confirmation should be forwarded, in accordance with Article 51 of the Act.
 13. The maximum time limit for providing feedback to a person submitting a report is 3 months from the confirmation of acceptance of a report or, in the case of not providing confirmation to a person submitting a report, 3 months from the expiry of 7 days from submitting a report. Feedback includes:
 - 1) information about finding or lack of finding a breach of law;
 - 2) possible measures that have been or will be taken in response to the identified breach of law;
 - 3) information about submitting external reports to the Commissioner for Human Rights or public bodies and, where appropriate, to institutions, bodies, offices or agencies of the European Union.
 14. A person who submits a report is subject to protection specified in the provisions of the Act and no retaliatory steps can be taken against him/her, as listed in the second chapter of the Act.
 15. Submission of unjustified reports of breaches of law is subject to a penalty in accordance with Article 57 of the Act.
 16. A person applying for work under an employment relationship or any other legal relationship providing grounds for the performance of work or services or performance of a function receives information from the University about a procedure for internal reports at the commencement of recruitment or pre-contract negotiations.