GDAŃSK UNIVERSITY OF TECHNOLOGY

RESEARCH UNIVERSITY
EXCELLENCE INITIATIVE

Regulation
of the Rector of Gdańsk University of Technology
No. 34/2024 of 20th September 2024

adopting the procedure for the internal reporting of the breaches of law and the follow-up actions at Gdańsk University of Technology.

Pursuant to Articles 23(1) of the Act of 20 July 2018 – Law on higher education and science (consolidated text: Journal of Laws of 2023, item 742, as amended) and the provisions of Article 24(1) of the Act of 14 June 2024 on the protection of whistleblowers (Journal of Laws of 2024, item 928), the Rector has adopted this regulation:

§ 1 The procedure for the internal reporting of the breaches of law and the follow-up actions is adopted, as set out in the Annex to this regulation.

§ 2 This regulation enters into force on 25 September 2024 while the following regulation is repealed at the same time: the Regulation of the Rector of Gdańsk University of Technology No. 76/2021 of 17 December 2021 adopting the Rules of internal reports at Gdańsk University of Technology concerning breaches of law and the follow-up actions.

Rector

Prof. Krzysztof Wilde, Corresponding Member of the Polish Academy of Sciences

Translation last revised 3 June 2025

Annex
to the Rector's Regulation
No. 34/2024 of 20 September 2024

Procedure for the internal reporting of the breaches of law and the follow-up actions at Gdańsk University of Technology

Chapter 1
General provisions

§ 1

1. Pursuant to Article 24(1) of the Act of 14 June 2024 on the protection of whistleblowers (Journal of Laws of 2024, item 928), hereinafter referred to as the "Act", this document establishes the procedure for the internal reporting of the breaches of law and the follow-up actions at Gdańsk University of Technology, hereinafter referred to as the "Procedure".
2. This Procedure sets out the rules for submitting and receiving internal reports, as well as follow-up actions at Gdańsk University of Technology, hereinafter referred to as the "University".
3. The purpose of this Procedure is to implement the Act, as well as prevent the breach of law at the University, and enhance the effectiveness of monitoring the observance of law, identifying breaches, and remedying their consequences.
4. This Procedure applies to the following categories of persons who may come into possession of information regarding breaches of law ,:
   1) employees of the University, including those whose employment relationship has already expired;
   2) persons working for the University on a basis other than an employment relationship, including under civil law contracts;
   3) candidates for employment at the University if the information concerning the breaches was obtained during the recruitment process or other processes preceding the establishment of an employment relationship;
   4) business partners of the University (contractors and service providers),– to the extent that they carried out tasks for the University;
   5) other persons cooperating with the University, in particular trainees and interns.
5. Reports of unlawful actions or omissions or actions attempting to circumvent the law, may in particular concern the following activity areas of the University:
   1) public procurement;
   2) use of public funds;
   3) information security, protection of personal data, privacy, and person's image;
   4) prevention of corruption or conflicts of interest;
   5) counteracting breaches of internal procedures and standards of the University, including the Code of Ethics;
   6) security of network and information systems;
   7) health and safety of employees, students, and doctoral students.

6. Issues related to the University's day-to-day matters, particularly those concerning the work environment and working conditions, should be reported to direct superiors or through the channels established under separate internal regulations.

§ 2

1. Whenever this Procedure refers to:
   1) "Panel" – it means the follow-up panel, a collegial body appointed by the employer to handle internal reports;
   2) "Employer" – it means Gdańsk University of Technology;
   3) "internal report" – it means an oral or written provision of information to the University concerning a breach of law;
   4) "GDPR" – it means the Regulation (EU) 2016/679 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 the free movement of such data, and repealing Directive 95/46/EC (OJ EU.L. of 2016, No. 119, p. 1, as amended);
   5) "Delegate" – it means the employee of the University appointed to receive internal reports;
   6) "whistleblower" – it means a natural person referred to in Article 4(1) and (2) of the Act;
   7) "retaliation" – it means any direct or indirect act or omission in a work-related context that follows a report or public disclosure and that violates or may violate the rights of the whistleblower or causes or may cause them unjustified harm, including baseless initiation of proceedings against them.
2. Whenever this Procedure refers to: a follow-up action, information on a breach of law, feedback, a work-related context, a public authority, a person concerned by the report, a person assisting in the reporting process, a person associated with the whistleblower, a breach of law, a public disclosure, or an external report – these terms mean what is set out in Articles 2–4 of the Act.

Chapter 2
The delegate for receiving internal reports

§ 3

1. The rector shall appoint, for a specified period of time but not exceeding the duration of the current rector's term of office, the delegate for receiving internal reports (hereinafter the "Delegate").
2. The Delegate processes personal data provided in an internal report on the orders and with the authority of the rector granted in accordance with the Information Security Management System in force at the University.
3. The newly appointed Delegate is required to undergo training on the protection of whistleblowers and personal data.
4. The training referred to in paragraph 3 is ensured by the organizational unit responsible for human resources within 3 months of the Delegate's appointment.
5. The training referred to in paragraph 3 is not required if the same person is reappointed as the Delegate or if the appointed Delegate has evidenced up-to-date knowledge of the protection of whistleblowers and personal data.

6. The responsibilities of the Delegate include:
   1) providing information to the University employees regarding the internal reporting procedure;
   2) receiving internal reports;
   3) confirming receipt of internal reports;
   4) initial qualification and assessment of internal reports;
   5) requesting additional information from the whistleblower if there are doubts regarding the correct classification of the report;
   6) providing the whistleblower with the information referred to in Article 13 of the GDPR and concerning the processing of personal data and the rights granted under the applicable provisions of the Act;
   7) maintaining regular contact with the whistleblower and providing them with information on the follow-up actions taken;
   8) maintaining a register of internal reports, as set out in the template in Appendix No. 1 to this Procedure;
   9) ensuring that the documentation related to internal reports is stored so as to prevent access by unauthorized persons;
   10) participating in the work of the Panel as part of the procedure referred to in § 5;
   11) providing the Employer, at least once every six months, with information on the number of received internal reports referred to in § 4(2).
7. The Delegate shall perform their duties until a new Delegate is appointed.

Chapter 3
Procedure for handling internal reports

§ 4

1. A report is submitted by a person who has information about a breach of law at the University. The whistleblower, a person assisting them in the reporting process, and any person associated with them are subject to protection as provided in Chapter 2 of the Act.
2. The whistleblower may, at their discretion, make an internal report or submit their report of a breach of law directly to the relevant public authorities or to the Commissioner for Human Rights under a separate external reporting procedure.
3. The whistleblower may consult the Delegate regarding the personal and material scope of the intended report in order to ensure its proper handling.
4. The subject of a report may only be information submitted in good faith about a significant breach of law. Acting in good faith means acting with the belief, held at the time of submitting the report, that the reported information is true.
5. The person concerned by the report has the right to the protection of their good name throughout the investigation before the Panel and, if the allegations are not confirmed, also after their conclusion.
6. The whistleblower is protected under the terms set out in the Act from the submission of a report or public disclosure, provided that they had reasonable grounds to believe at the time of reporting or disclosing that the information was true and concerned a breach of law.

7. The identity of the whistleblower, unless they have given prior explicit consent to its disclosure, as well as the identity of the person concerned by the report, is protected from public disclosure. Their data may be disclosed to employees of the Chancellor's Office if it is necessary for examining the report.
8. Subject to paragraph 9 and § 5(11) and (12), the identity of the persons referred to in paragraph 5 may be disclosed only to the rector, the chancellor, and the persons specified in § 6(3)–(6).
9. In the absence of the Delegate or where the report concerns the Delegate, the report shall be submitted to the rector. The provision in the third sentence of § 7(8) applies accordingly.

§ 5

1. Reports of breaches of law may be submitted:
   1) via an interactive form available on the University's website;
   2) in person – orally for the record prepared by the Delegate by completing the Breach Report Form.
2. The report should include:
   1) personal data of the whistleblower: name, position, workplace, date of submission, and contact details;
   2) personal data of the person concerned by the report;
   3) a description of the breach of law, including the circumstances of its occurrence, the persons involved, and the timeframe;
   4) evidence supporting the claim of breach;
   5) reference to the laws or standards relevant to the report;
   6) description of how the information about the breach was acquired;
   7) indication of persons having a relationship with the case or potential witnesses;
   8) any other circumstances relevant to the case.
3. If the report does not meet the requirements set out in paragraph 2, the Delegate shall request the whistleblower to complement the report within no less than 7 days of the receipt of the request.
4. If, despite the request for additional information, the report is not supplemented and it remains impossible to determine its subject matter, the Delegate may leave it without investigation.
5. The report should not include information that is clearly irrelevant to the case, including special categories of personal data and data relating to criminal convictions and offences, as referred to in Article 9(1) and Article 10 of the GDPR, respectively.
6. In the case of anonymous reports, the Delegate may decide not to proceed with the investigation. However, if the report contains information suggesting a possible breach of law, they notify the rector or the chancellor. The evidence and information provided in an anonymous report shall be destroyed. This does not apply to original official or personal documents which shall be returned to their owner.
7. If a subsequent report that has already been received and investigated does not provide any additional information, the Delegate may decide not to investigate it further.
8. If the report falls within the scope of another procedure applicable at the University, it shall be transferred as per jurisdiction.

9. The Delegate confirms receipt of the report and provides the whistleblower with information on the processing of personal data and the procedure for handling the report within 7 days of its submission.
10. The Delegate, after reviewing the report, notifies the rector of the submission.
11. If the report concerns the rector and the Delegate reports directly to them, the Delegate notifies the rector of the submission and recuses themselves from handling the case. The rector appoints a delegate to investigate the matter until its conclusion. The provisions of § 3 apply accordingly to this delegate.
12. If the report concerns the rector, the Delegate notifies the chancellor of the submission and they decide on further actions. The provision of § 4(8) does not apply.

§ 6

1. The Panel is appointed every time a report is submitted. It is made up of persons with relevant expertise acquired through professional experience or training on whistleblower protection.
2. The Panel is appointed by the Employer at the request of the Delegate. The same principle applies to the changes in its composition .
3. The Panel consists of:
   1) the Delegate as the Chair;
   2) an Employer's representative appointed by the rector, subject to § 7(6) and (7);
   3) a representative of employees designated by the trade unions operating at the University from among employees of various departments , subject to § 7(6) and (7).
4. An independent expert with relevant expertise in protection of whistleblowers or in the material scope of the reported breach may participate in the Panel's work in an advisory capacity. The expert is appointed by the chancellor at the Panel's request.
5. Administrative support for the Panel meetings is provided by a person designated by the chancellor. It may not be a person referred to in § 7(6) and (7).
6. At the Panel's request, legal support is provided by a legal counsel designated by the chancellor. If necessary, they may participate in the Panel meetings.

§ 7

1. The Panel works according to the principles of:
   1) promptness;
   2) confidentiality;
   3) impartiality;
   4) thoroughness in fact-finding and problem resolution.
2. The proceedings conducted by the Panel are confidential, and the circumstances established during the process must not be disclosed. Persons referred to in § 6(3)–(6) are required to sign a confidentiality and impartiality statement during and after the proceedings, the template of the statement being given in Appendix No. 3 to the Procedure.
3. Members of the Panel and persons referred to in § 6(4)–(6) process personal data obtained during the proceedings on the orders and with the authority of the rector granted in accordance with the Information Security Management System in force at the University.

4. The Panel shall begin proceedings within 7 working days of its appointment. Within this period, the chancellor provides the Panel with:
    1) a workplace at the University that ensures confidentiality during meetings;
    2) a dedicated email account on the University mail server securing confidentiality of information transmitted through the account;
    3) authorization to process personal data for the scope and duration of the proceedings.
5. The time spent by Panel members performing their duties counts as working hours at the University.
6. A Panel member cannot be the person submitting the report, the person concerned by the report, or a person in any personal or professional dependance on either of them.
7. A Panel member cannot be the head of the statutory organizational unit where the whistleblower is employed.
8. The Employer dismisses a member of the Panel if there are credible circumstances that may raise doubts about their impartiality or if they are unable to take part in the Panel's work, notably due to medical leave. A new member is appointed by the same person or body that designated the one being replaced. If the Delegate needs to be replaced, the Employer appoints a substitute to handle the ongoing proceedings , taking into account the provisions of § 7(6)–(7).
9. The Panel is required to follow up and resolve the case as soon as possible, within 30 days of the start of the proceedings. Exceeding this deadline is allowed only in justified cases with the consent of the Employer. The Employer may extend the deadline for resolving the case only once, by a maximum of 30 additional days, unless there are objective obstacles that cannot be removed without prejudice to the proceedings.
10. If the report concerns the chancellor, their responsibilities under the procedure are taken over by the rector or another person authorized by them.
11. During the investigation, the Panel members have the right to:
    1) access documents and data held by organizational units of the University to the extent necessary to investigate the case;
    2) request information from the heads of organizational units;
    3) obtain oral and written explanations from employees and contractors of the units;
    4) access data from the computers and phones of the units under the terms set out in the internal regulations of the University;
    5) access the CCTV footage under the terms set out in the internal regulations of the University;
    6) access the unit's premises to conduct inspections or searches and secure evidence under the terms set out in the internal regulations of the University;
    7) request assistance from the data protection officer;
    8) consult the whistleblower to the necessary extent on the information and data obtained.
12. In matters not regulated by this Procedure, the rules for internal audits at the University apply to the investigation conducted by the Panel.

13. Once the investigation begins, the Panel immediately provides the person concerned by the report and the witnesses named in the report with the information referred to in Article 14 of the GDPR and notifies them about the initiation of the investigation.
14. If the Panel decides that prematurely informing the person concerned or the witnesses about the data processing and the ongoing investigation could significantly affect the identification of breaches or protection of the whistleblower, it may delay the provision of this information.
15. The person concerned by the report may be represented in the proceedings by a proxy designated in writing. The proxy may also be an employee of the University.
16. The person concerned by the report and the witnesses, after reviewing the transcript of their hearing, shall either sign it or submit a request for additions or corrections.
17. If the person concerned or a witness submits a request to supplement or correct the hearing transcript, they shall sign the transcript after requested additions or corrections have been made.
18. If the request to supplement or correct the hearing transcript made by the person concerned or a witness is denied, the request along with the justification for the refusal is attached to the transcript.
19. Having heard the explanations of the person concerned and having conducted the proceedings, including the hearing of witnesses, the Panel makes a decision on the validity of the report by a simple majority vote. Members who disagree with the decision may attach a dissenting opinion to the final report.
20. The Panel ensures that the party of the proceedings has access to the documents collected during the investigation (except for witness statements), with all personal data anonymized.
21. The proceedings may be concluded in one of the following ways:
    1) by deeming the report justified;
    2) by deeming the report unfounded;
    3) by discontinuing the proceedings if they become irrelevant.
22. The Panel prepares a final report containing its decision with a justification. If the report of a breach is deemed justified, the final report also includes recommendations for the Employer. The final report with anonymized personal data is delivered directly to the person concerned who confirms receipt and reading of the report with their signature and date.
23. Within 3 months of confirming receipt of the report of a breach, the Panel should provide the whistleblower with feedback and information on the final outcome of the investigation initiated by the report.
24. A copy of the report is submitted by the Panel to the rector, along with the recommendations referred to in paragraph 22, if any.
25. The records of the proceedings are kept by the Delegate for 3 years from the date of completion of the proceedings.

§ 8

1. If the report is deemed justified, the rector, based on the Panel's recommendations, shall promptly take action to eliminate the identified irregularities and their causes and prevent the recurrence of the breach of law.

2. Within 30 days of the conclusion of the proceedings in which the report was deemed justified, the rector shall inform the whistleblower and the person concerned of the actions being taken according to paragraph 1.
3. At the whistleblower's request or with their consent, the rector may transfer them to a position in another organizational unit of the University.
4. The rector may impose a disciplinary penalty on a person who has breached the law or modify or terminate their employment in accordance with the Labor Code or other generally applicable laws. Additionally, the person found responsible for the breach may be deprived of employee rights under labor laws that depend on fulfilling employee duties.
5. In cases of serious breaches of law, the rector may terminate the employment contract with the offender without notice or apply other measures provided for under generally applicable laws, in particular:
   1) request proceedings for a breach of public finance discipline

   or

   2) notify of a justified suspicion of a criminal offense.

Chapter 4
Responsibilities of the Delegate in the internal reporting procedure

§ 9

The Delegate conducts informational and training activities regarding the whistleblower protection and the application of the Procedure. These activities shall pertain to all persons who, pursuant to Article 4 of the Act, may be recognized as whistleblowers at the University.

Chapter 5
Final provisions

§ 10

1. Each employee of the University is obliged to familiarize themselves with the internal reporting procedure and submit a statement to this effect. This statement is attached to the employee's personal file.
2. Heads of the University's organizational units are obliged to familiarize their direct reports with the internal reporting procedure within 30 days of the date this Procedure comes into force.

§ 11

The human resources unit is obliged to familiarize new University employees with the provisions of this Procedure. The provisions of § 10(1) apply accordingly.

§ 12

The Delegate shall annually submit to the rector by 31 March a written report on their activities in the previous calendar year.

§ 13

This Procedure enters into force on 25 September 2024.

Appendix No. 1

REGISTER OF INTERNAL REPORTS

Case reference number	Report date	Personal data of the reporting person (whistleblower)	Postal address of the whistleblower	Personal data of the person concerned by the report	Subject of the breach	Follow-up actions	Case completion date	Attachments to the report / comments

Appendix No. 2

BREACH REPORT FORM
INTERNAL REPORTING PROCEDURE AT GDAŃSK UNIVERSITY OF TECHNOLOGY

PERSON CONCERNED BY THE REPORT	
Name and surname	
Organizational unit/position	
INFORMATION ABOUT THE BREACH OF LAW	
Date of the breach	
Date of the information about the breach	
Description of the breach, the irregularities and the time of their occurrence	
Evidence supporting the reported circumstances	
Internal regulations, laws, or standards breached	
How the information about the breach was obtained	
Persons having a relationship with the case or possible witnesses	
Other circumstances relevant to the case	
DETAILS OF THE PERSON REPORTING THE BREACH (WHISTLEBLOWER)	
I consent to the disclosure of my personal data (YES or NO)	
Name and surname of the whistleblower	
Organizational unit / position	
Contact details of the whistleblower	
Date of report	
Signature of the whistleblower	
Signature of the Delegate (in the case of oral report)	

Appendix No. 3

Declaration of the Follow-up Panel member

In connection with my appointment as a member of the Follow-up Panel investigating the report with reference number ……, submitted on ……..……. by (name and surname / name of the employer) ……., (job title) ……, I declare that I am aware that the proceedings based on the above mentioned report are confidential, and so no facts established during these proceedings may be disclosed by me, either during the proceedings or after their conclusion.

I declare that:
- I am familiar with the procedure for the internal reporting in force at Gdańsk University of Technology;
- I am not in any way dependent on the whistleblower (the reporting person) and the person concerned by the above-mentioned report;
- I am not the head of the organizational unit where the whistleblower and the person concerned by the above-mentioned report are employed;
- there are no circumstances that could give rise to justified doubts about my impartiality.

Gdańsk, date: legible signature

…… ……