

COMPLAINT HANDLING POLICY

Eötvös József College

6th of June, 2021.

INTRODUCTORY PROVISIONS

The Senate of the Eötvös József College (hereinafter: the College) is the CLXV of 2013. Act on Complaints and Notifications of Public Interest, as well as CXII of 2011. Act on the right to self-determination of information and freedom of information defines these regulations (hereinafter: Regulations) as follows:

PART I

GENERAL PROVISIONS

§ 1 Purpose and scope of the regulations

(1) The College is committed to increasing public trust in the operation of state bodies, recognizing the importance of complaints and public interest reports in improving the operation of the state. The purpose of these Regulations is to define the College's uniform procedural process for handling complaints and public interest reports, ensuring the necessary measures for the fullest possible protection of complainants and public interest whistleblowers, as well as the transparent, efficient handling and investigation of complaints and public interest reports.

§ 2. The complaint and the notification in the public interest

(1) A complaint is a report aimed at eliminating individual rights or interests. A notification in the public interest calls attention to a circumstance whose remedy or elimination is in the interest of the College, the community or society as a whole. Complaints and reports in the public interest may also contain a proposal.

It is not considered a complaint if the data subject submits a request or requests general information, an opinion or a position from the College, or if his request is related to the management of his personal data by the College or if he exercises authority related to the protection of his personal data, unless during the submission of the data request or request at the same time, an objection, which is considered a complaint, is submitted.

(2) Any person who has a legitimate interest in making the complaint or public interest report or in remedying the conduct that is the subject of the complaint or public interest report may submit a complaint or public interest report to the head of the Quality Development Committee in writing or orally.

(3) The oral complaint must be put in writing only in the event that the settlement and remediation of the harmed interest does not take place immediately, or it is not possible to investigate it immediately, or the complainant does not agree with the handling of the complaint. In this case, a record will be taken, which includes:

- a. the name of the complainant,
- b. your address (headquarters) and, if necessary, your mailing address,
- c. the place, time and method of presenting the complaint,
- d. for the sake of anonymity, the detailed description of the complaint, the

objections involved in the complaint, recorded separately from the personal data of the complainant,

- e. the signature of the person taking the minutes and the complainant (the latter formal element is required in the case of a verbal complaint submitted in person),
- f. the place and time of taking the minutes.

The personal data of the complainant and the person affected by the complaint must be submitted separately so that the complaint can be handled anonymously.

A copy of the report must be given to the complainant. If necessary, copies of documents in the possession of the complainant that are required to support the complaint and are not available to the College must be attached to the protocol.

(4) In all cases, the oral public interest notification must be recorded in writing by recording the minutes specified in paragraph (3) and a duplicate copy must be given to the public interest whistleblower.

(5) If the complaint or public interest report was not made to the head of the Quality Development Committee, the complaint or public interest report must be forwarded to the head of the Quality Development Committee within five days of its receipt.

(6) The head of the Quality Development Committee forwards the complaint or public interest report to the relevant organizational unit within three working days, for the purpose of investigating the complaint or public interest report and formulating the necessary measures.

(7) If the complaint or notification of public interest is also related to data management, the head of the Quality Development Committee shall request the written opinion of the data protection officer without delay, but within three working days at most.

(8) Complaints and reports of public interest must be evaluated within twenty-five days of their receipt at the relevant organizational unit. Those entitled to the procedure shall hear the complainant or public interest whistleblower if the content of the complaint or public interest report requires it, especially if it needs to be supplemented, clarified or clarified.

(9) If the investigation on which the assessment is based is expected to last longer than thirty days, the complainant or the public interest whistleblower must be informed of this - by simultaneously communicating the expected date of the procedure and the reasons for the extension of the procedure.

(10) After the end of the investigation, the head of the Quality Development Committee informs the complainant or public interest whistleblower of the action taken, or of the omission thereof, with the exception of classified data or data classified as business, economic or other secrets by law, as soon as possible together with the indication of the reasons.

(11) Written notification may be dispensed with if the complainant or public interest whistleblower was verbally informed about the handling of the complaint or public interest report, who took note of the information.

(12) The investigation of a repeated complaint or public interest report made by the same

complainant or public interest whistleblower with the same content as before may be waived.

(13) The examination of the complaint may be waived even if the complainant submitted his complaint six months after becoming aware of the aggrieved activity or omission.

(14) The College waives the investigation of a complaint or public interest report made by an unidentified person - unless the complaint or public interest report is based on a serious violation of rights or interests.

(15) If it can be established from the content of a complaint or public interest report made by an unidentified person that it is classified as a report of an event that violates organizational integrity, the College will proceed on the basis of the regulations for handling incidents that violate organizational integrity.

(16) Complaints submitted more than one year from the occurrence of the aggrieved activity or omission must be rejected without a substantive investigation.

(17) On the basis of the complaint or public interest report – if it proves to be well-founded – it is necessary to ensure:

- a. on the restoration of the legal or public interest state, and on the taking of otherwise necessary measures,
- b. on the elimination of the causes of the identified errors,
- c. on remedying the harm caused and
- d. in justified cases, on the initiation of prosecution.

§ 1 Management and record keeping of the data of the complainant and the public interest whistleblower

(1) The personal data of the complainant or the whistleblower in the public interest may only be transferred to the organizational unit concerned on the basis of the complaint or the public interest whistleblower - unless there is a crime or circumstances indicating a violation of the rules, or it is highly probable that it will cause illegal damage to others. The personal data of the complainant and the whistleblower may not be made public without the clear consent of the person involved in the data processing. When handling personal data for the purpose of handling complaints, the College takes into account the principles and requirements laid down in the applicable data protection legislation and the Data Management and Data Protection Regulations.

(2) If the public interest notification concerns a natural person, CXII of 2011 on the right to self-determination of information and freedom of information. based on the relevant provision of the law, the personal data of the public interest whistleblower may not be disclosed to the person requesting the information during the exercise of the right of this natural person to be informed about his personal data.

(3) The complainant or the public interest whistleblower may not suffer any disadvantage for making the complaint or the public interest report, with the exception of the provisions of paragraph (6).

(4) All measures detrimental to the public interest whistleblower, which are taken as a result of the public interest report - with the exception of the measures contained in subsection (6) - are considered illegal even if they would otherwise be legal.

(5) In the case of a verbal or personally submitted written complaint or public interest report, the attention of the complainant and public interest whistleblower must be drawn to the consequences of a bad faith complaint and report, to the procedural rules governing the investigation of the complaint and report, and to the fact that their identity will be treated confidentially at all stages of the investigation. The complainant and the whistleblower must be informed that the investigation of the report made by an anonymous or unidentifiable whistleblower can be omitted.

(6) If it has become apparent that the complainant or the whistleblower in the public interest has communicated false information in bad faith, which is of decisive importance, and that there is a circumstance indicating the commission of a crime or violation of the rules, or it is reasonably probable that he has caused illegal damage or other rights violations to others, then his personal data shall be The college will hand it over to the body or person authorized to initiate or conduct the procedure and to draw legal conclusions based on the investigation, at its request.

(7) If action is taken based on the investigation - including action due to legal proceedings or disciplinary action against the complainant or reporting person - the data relating to the report may be processed until the final conclusion of the complaint or the procedure(s) initiated on the basis of the report.

(8) The Quality Development Committee keeps a register of complaints, public interest announcements and the measures taken to resolve them, which contains the following data:

- a) data of the complainant, public interest whistleblower,
- b) description of the complaint, public interest notification,
- c) date and method of submitting a complaint or public interest report,
- d) the description of the measure for remedying the complaint or public interest report, and in case of rejection, the justification thereof,
- e) the name of the person(s) responsible for implementing the measure, as well as the deadline for completing the measure and closing the procedure,
- f) information obtained during the investigation and any expert opinion,
- g) the decision made in the procedure and the date and method of responding to the complaint or public interest notification.

II. PART

SPECIAL PROVISIONS

§ 1 Complaint handling of employees of the College

(1) Those who have an employment relationship with the College may submit a proposal, comment, complaint (hereinafter: petition) to the College, the educational organizational units (institutes) and to the managers and management bodies of other central organizational units. The petition must be submitted in writing, explaining in detail its content and purpose, indicating the requested and expected measures.

(2) The submitted application must be filed according to the rules of case file management, and must be presented to the addressee manager. According to the action taken by the addressee, the submission or its copy, if necessary, must be sent to the specialist area concerned with the problem or proposal in the submission for review or opinion, simultaneously (within ten days of receipt) notifying the sender of the further fate of the submission and the expected deadline for the decision to be made in the case. If the review or opinion in the specific field has been carried out, or there is reason to omit the examination or opinion:

- a) in the case of a submission addressed to the manager, directly,
- b) in the case of a petition addressed to the board, after its decision

the submitter must give a substantive answer within thirty days of the submission of the application, taking into account the deadline specified in the information according to paragraph (3). In the response, the submitter must also be informed about the action taken or planned.

(3) If the submitter does not agree with the answer or the action taken or indicated, or if he is not satisfied, he may file a legal complaint with the service superior (in the case of a corporate body, the superior management body), or in the case of a petition addressed to the rector, to the Senate. If the legal remedy complaint is evaluated in accordance with the provisions of paragraph (3), it must also be stated that no further ordinary legal remedy is possible in the case.

§ 2 Complaint handling of students of the College

(1) The provisions of these Regulations shall be applied to the handling of complaints submitted by those who have a student relationship with the College.

(2) Student complaints must be submitted to HÖK's Study and Interest Protection Committee. There is no formal requirement for the presentation of the complaint, it can be presented both orally and in writing.

(3) The Academic and Protection of Interests Committee of HÖK investigates the reported complaint and, if it considers the contents of the complaint to be well-founded, forwards the case to the Quality Development Committee.

(4) The Quality Development Committee investigates the received complaints and takes the necessary measures.

(5) The Quality Development Committee is entitled to address complaints to the Senate if it cannot resolve the complaint within its own competence.

§ 3. The College's employer abuse reporting system

- (1) The College establishes rules of conduct for its employees that protect the public interest or compelling private interests under the conditions set forth in Section 9 (2) of Act I of 2012 on the Labor Code, as well as in the Code of Ethics.
- (2) The College establishes an abuse reporting system (hereinafter: reporting system) for reporting violations of legislation and rules of conduct in accordance with CLXV of 2013. according to the law. The College may process the personal data of the reporting person and the person concerned in the report provided in the report for the purpose of investigating the report, and may pass it on to an external organization participating in the investigation of the report.
- (3) Processing of special data in the reporting system is prohibited.
- (4) Data relating to third parties not involved in the report, which are not necessary for the investigation of the report, and which cannot be handled according to the law, must be deleted from the reporting system immediately.
- (5) For the management of personal data managed in the notification system, the provisions of § 6, paragraph (13) and – with regard to the data concerning the notifier – § 6, paragraph (15) shall be applied.
- (6) Persons who have an employment relationship with the College or persons who have a legitimate interest in making the report or remedying the behavior that is the subject of the report may make a report in the reporting system.
- (7) The employer is obliged to investigate the report.
- (8) The College waives the investigation of a repeated report with the same content as before, made after six months from learning about the offending activity or omission.
- (9) The reporting system must be designed in such a way that the identity of the non-anonymous reporting party cannot be known by anyone other than those investigating the report. Those who investigate the report will not be responsible for the content of the report and the persons involved in the report until the conclusion of the investigation or the initiation of formal prosecution as a result of the investigation..