MOHOLY-NAGY
művészeti egyetem
university of art and
design budapest

File number: MOME/816-1/2025

INTERNAL WHISTLEBLOWING POLICY
OF THE
MOHOLY-NAGY UNIVERSITY OF ART AND DESIGN BUDAPEST

Adopted by:	**the Senate through its resolution no. 37_2024/2025. (11.25.)**
Entry into force:	**05/03/2025**
Mandatory review:	**05/03/2027**

PREAMBLE

The Moholy-Nagy University of Art and Design (hereinafter as: the University), having regard to the provisions of Act XXV of 2023 on Complaints, Public-Interest Reports and Whistleblowing (hereinafter: the Complaints Act), sets out the rules governing the operation of its internal whistleblowing system in this Internal Whistleblowing Policy (hereinafter as: the Policy).

The purpose of the Policy is to set out the general principles and organisational framework for the operation of the internal whistleblowing system, the detailed rules relating to the operation of the internal whistleblowing system, and, within this framework, to define the procedures for making and investigating reports, as well as the process for conducting investigations.

This Policy is intended to ensure that those entitled to make reports can provide information regarding any unlawful or suspected unlawful acts, omission or other misconduct relating to the University's operations may do so within a regulated framework, so that such matters may be investigated effectively, and, where justified, the necessary measures may be taken to further strengthen confidence in the lawful operation of the University.

Scope of the Policy
Section 1

(1) The personal scope of the Policy extends to
   (a) the person entitled to make a report via the internal whistleblowing system;
   (b) the whistleblower protection lawyer;
   (c) the organisational unit of the university involved in investigating the report;
   (d) the person concerned by the report in question, including any person whose conduct or omission gave rise to the report;
   (e) the person with substantive information regarding the contents of the report, including the organisational unit of the university with relevant information regarding the contents of the report;
   (f) the Chief Executive Officer and the CEO's Chief of Staff;
   (g) the organisational unit of the University responsible for legal matters and, where applicable, HR matters;
   (h) the organisational units of the University affected by the planned or implemented measures, as a result of the investigation.

(2) The material scope of the Policy extends to the reporting of information concerning all unlawful or allegedly unlawful acts, omissions or other misconducts – including, in particular but not limited to, any breach in any form or manner of the legislation governing the University's operations, internal regulations in any form or manner; infringements of the University's legitimate interests or business interests not contrary to the law; other breaches of the law relating to the University's activities; prejudicial measures taken by the employer – as well as the investigation of such matters and, where necessary, the taking of remedial action.

The operation of the University's internal whistleblowing system
Section 2

(1) At the University, the operation of the internal whistleblowing system, the performance of tasks relating to the receipt and handling of reports, including the investigation of reports submitted through the internal whistleblowing system, shall be carried out by an impartial whistleblower protection lawyer appointed by the University.

(2) The name and contact details (address, postal address, email address, telephone number) of the whistleblower protection lawyer are published on the University's website, at [https://mome.hu/hu/mome-bejelentesvedelmi-rendszer].

(3) The Chief Executive Officer is responsible for ensuring that the whistleblower protection lawyer, as

well as the organisational unit(s) involved in investigating the report, operate impartially and independently.

(4) The whistleblower protection lawyer
   (a) receives reports relating to the University's activities;
   (b) provides the whistleblower with legal advice in connection with making a report;
   (c) maintains contact with the whistleblower and may, where necessary, request information or clarification from them for the purposes of investigating the report;
   (d) assists in the conduct of the investigation initiated on the basis of the report;
   (e) upon request, he shall inform the whistleblower in writing of developments relating to the report, in particular the outcome of any investigation initiated on the basis of the report, the measures taken by the University, or the decision not to proceed with the investigation.

(5) The University is committed to ensuring that reports are investigated fully and thoroughly within the prescribed time limit; to this end, it is the responsibility of the University's organisational unit responsible for legal affairs to support the whistleblower protection lawyer in conducting the investigation.

(6) It is the responsibility of the University's organisational unit responsible for legal affairs to identify the organisational unit(s) holding the necessary information, data and documents relating to the matter covered by the report, and to ensure the conditions for effective cooperation between those organisational units and the whistleblower protection lawyer. In this context, the head of each organisational unit of the University is responsible for ensuring that cooperation between the whistleblower protection lawyer and the relevant organisational unit is carried out effectively.

(7) Through its organisational unit responsible for legal affairs, the University shall ensure that the whistleblower protection lawyer has access to the documents and databases relating to the investigation of the report, and is able to familiarise themselves with their contents, so that they may interview the persons concerned by the report, or who possess substantive information regarding the contents of the report, and that the organisational unit possessing relevant information regarding the contents of the report is involved in the investigation to the extent necessary.

(8) The whistleblower protection lawyer is entitled to enter and remain on the University's premises, and to use the infrastructure made available to them by the University, in order to fulfil their obligations in connection with the investigation of the report.

Persons entitled to make reports
Section 3

(1) The following persons are entitled to make a report via the internal whistleblowing system:
   (a) all persons employed by the University;
   (b) any person employed by the University whose legal relationship aimed at employment with the University has terminated;
   (c) any person wishing to enter into a legal relationship aimed at employment with the University, where the procedure for establishing such a relationship has commenced;
   (d) any sole trader or individual company with a contractual relationship with the University;
   (e) any member of the public interest trust foundation performing public functions, which exercises the rights of the maintaining body and owner over the University; the University's Chief Executive Officer, any member of the Senate with voting rights and any member of the Public Benefit Supervisory Board;
   (f) any contractor, subcontractor or supplier who has initiated the procedure for entering into a contractual relationship with the University, or who is or has been in a contractual relationship with the University, or any person under the supervision and direction of such a contractor, subcontractor or supplier;
   (g) any intern and scholarship holder carrying out activities at the University;
   (h) any person as per points (d), (e) or (g), who wishes to enter into a contractual relationship with the University, where the procedure for establishing such a legal relationship or contractual relationship has commenced, or where their legal relationship or contractual relationship with the University has been terminated.

(2) The term "employed person" shall have the meaning assigned to it in Section 16(3) of the

Complaints Act, namely, a natural person who performs activities for and under the direction of the University for remuneration within the framework of a legal relationship aimed at employment, or who is self-employed.

(3) The term 'legal relationship aimed at employment' shall be understood as defined in Section 16(1) of the Complaints Act, namely, any legal relationship in which the employed person performs activities for and under the direction of the University for remuneration or is self-employed.

The method of making reports and their content
Section 4

(1) Reports may be made in writing or verbally.
(2) Written reports may be submitted
  (a) by completing the online internal whistleblower form provided by the University and available at https://forms.office.com/e/UCDxW7y3Zp;
  (b) via email sent to visszaelesbejelentes@mome.hu;
  (c) by post addressed to the whistleblower protection lawyer and sent to their postal address.
(3) When the report is made in writing, a confirmation of receipt shall be sent to the whistleblower no later than 7 (seven) days from receipt of the report, in which general information shall be provided to the whistleblower regarding the rules of procedure and data processing.
(4) The confirmation of receipt referred to in paragraph (3) shall be provided by means of an automated system message when the report is made in the manner set out in points (a) and (b) of paragraph (2), whilst in the case of paragraph (2)(c), it shall be provided by the whistleblower protection lawyer, taking into account the contact details provided by the whistleblower.
(5) The report may also be made in person at the registered office of the whistleblower protection lawyer, following prior appointment. The telephone number of the whistleblower protection lawyer for arranging an appointment can be found via the link set out in Section 2(2) of this Policy.
(6) Where a report is made in person, prior to the commencement of the reporting process, the whistleblower protection lawyer is obliged to draw the whistleblower's attention to the consequences of making a report in bad faith, the procedural and data processing rules governing the investigation of the report, and the fact that the whistleblower's identity – provided they supply the information necessary to establish it – will be treated as confidential at all stages of the investigation.
(7) The whistleblower protection lawyer shall record the oral report in writing without delay, but no later than 3 (three) working days from the date on which the report was made, and shall provide the whistleblower with a copy thereof, allowing the whistleblower the opportunity to review, correct and sign the written record in confirmation of its contents.
(8) If the report is made by a whistleblower that cannot be identified, the whistleblower protection lawyer may decide not to investigate the report.
(9) Reports may be made anonymously; however, if the whistleblower does not provide their contact details
  (a) the procedure may be closed without a result. This is because, in the absence of this information, the whistleblower protection lawyer will not be able to contact the whistleblower in order to supplement or clarify the report, clarify the facts of the case, or obtain further information;
  (b) this constitutes an obstacle to the provision of the information required by the Complaints Act and prescribed by the provisions of this Policy, which is to be provided to the whistleblower.
(10) In order to ensure that the investigation initiated on the basis of the report can be conducted effectively, the report must – in particular, among others – provide the following information:
  (a) the identification of the unlawful or allegedly unlawful act, omission or other misconduct (hereinafter collectively referred to as "misconduct"), together with as detailed a description thereof as possible;
  (b) the manner, circumstances and time at which the whistleblower became aware of the misconduct;
  (c) the list of the documents, records and information in the whistleblower's possession relating to the misconduct;

(d) the identification – together with the details necessary for their identification – of the natural person, legal person or organisation without legal personality whose conduct or omission gave rise to the report;
(e) the identification of those persons – together with the details necessary for their identification – who may have substantive information regarding the matters set out in the report;
(f) the description of any other circumstances deemed relevant by the whistleblower that are necessary for the investigation of the report.

(11) The whistleblower must not make a report that is manifestly false or made in bad faith.

(12) The report is deemed lawful if
(a) the whistleblower has lodged their report in one of the ways set out in this Policy, in accordance with the rules laid down in this Policy and in the Complaints Act,
(b) the whistleblower obtained the information disclosed in the report concerning the circumstances to which the report relates in the course of their activities connected to their work, and
(c) the whistleblower had reasonable grounds to believe that the information disclosed in the report concerning the circumstances to which report related was accurate at the time the report was submitted.

(13) The whistleblower protection lawyer shall forward an abstract of the report that does not contain any data enabling the identification of the whistleblower; or, if the whistleblower has consented previously in writing to the disclosure of their personal data, the report itself to the University's organisational unit responsible for legal affairs.

(14) In the event that any member of staff from the University's organisational unit responsible for legal affairs is involved in the report, the whistleblower protection lawyer shall, instead of fulfilling their obligations under this Policy towards the University's organisational unit responsible for legal affairs, fulfil them towards the University's organisational unit responsible for HR matters.

(15) The whistleblower protection lawyer shall be obliged to handle and keep records of the reports and the related documentation separately from their other activities.

Investigation of reports
Section 5

(1) The whistleblower protection lawyer shall investigate the matters set out in the report as soon as circumstances permit, but no later than 30 (thirty) days from the date of receipt of the report. This deadline may be extended where justified, provided that the whistleblower is informed at the same time; however, even in the event of an extension, it may not exceed 3 (three) months.

(2) The investigation of the report may be omitted if
(a) the report was made by an anonymous whistleblower;
(b) the report was not made by the person entitled to do so;
(c) the report is a repeated report made by the same whistleblower and containing the same information as the previous report;
(d) the harm to the public interest or a compelling private interest would not be proportionate to the restriction of the rights of the person concerned by the report resulting from the investigation of the report.

(3) Where grounds exist for omitting the investigation of the report, the whistleblower protection lawyer shall inform the University's organisational unit responsible for legal affairs of the circumstances giving rise to such grounds and, at the same time, recommend that the investigation of the report be omitted. If this proposal is endorsed by the University's organisational unit responsible for legal affairs, the whistleblower will be informed in writing of the decision not to investigate the report and the reasons for this; otherwise, the investigation into the report will proceed.

(4) During the investigation of the report, the whistleblower protection lawyer
(a) shall maintain contact with the whistleblower; in this context, they may request the whistleblower to supplement or clarify the report, to clarify the facts of the case, and to provide further information, records and documents, and may also make copies of these;
(b) may interview the person concerned by the report or any person who possesses substantive

information regarding the contents of the report; in the event of such an interview, it shall draw up minutes of the proceedings, may request a written statement from them, and may call upon them to provide further information, documents, and may make copies of them.

(5) The person concerned by the report, or anyone who possesses substantive information regarding the contents of the report, shall be provided with detailed information by the whistleblower protection lawyer at the start of the investigation regarding the report, their rights in relation to the protection of their personal data, and the rules governing the processing of their data; provided that, in exceptional and justified cases, this may take place at a later date if providing the information immediately would jeopardise the investigation of the report.

(6) No information relating to the identity of the whistleblower, or information from which the whistleblower could be identified, may be disclosed to the persons concerned by the report or to those who possess substantive information regarding the contents of the report.

(7) In accordance with the requirement of due process, the University shall ensure that the person concerned by the report, as well as any person possessing substantive information concerning the matters set out in the report, may present their position on the report through their legal representative and substantiate it with evidence.

(8) During the investigation of the report, the whistleblower protection lawyer shall assess the accuracy of the circumstances set out in the report on the basis of the facts established, as well as the information, documents and other evidence at their disposal.

Conclusion of the investigation
Section 6

(1) The whistleblower protection lawyer shall, where possible, draw up draft findings on the outcome of the investigation into the report within 10 (ten) working days of receipt of the report, having regard, however, to the time limit for investigating reports set out in Section 5(1) of this Policy and the possibility of extending that time limit, and in the draft findings
   (a) if they determine that the investigation of the report falls within the remit of another body, they shall propose that the investigation be closed without any action being taken;
   (b) if they find that the misconduct reported is substantiated, make a recommendation regarding the measure(s) necessary to remedy the misconduct in question;
   (c) if they determine that, based on the information set out in the report, no misconduct has taken place, they shall recommend that the investigation be closed without any action being taken;
   (d) if they determine that, based on the information set out in the report, no misconduct has taken place, but that, in the light of the information contained therein, amendments to the University's regulations or other procedural rules are warranted, they shall make a recommendation to that effect;
   (e) if they establish that the whistleblower has provided false data or information in bad faith and this gives rise to circumstances suggesting that a criminal offence or administrative offence has been committed, they shall make a recommendation regarding the transfer of the whistleblower's personal data to the body or person authorised to conduct the respective proceedings.

(2) In the draft findings, the whistleblower protection lawyer is required to set out the course of the investigation into the report, the facts established, the circumstances underpinning those facts, the available evidence, and all information necessary to substantiate the validity of the proposed measures set out in the draft findings.

(3) The whistleblower protection lawyer shall forward the draft findings to the University's organisational unit responsible for legal affairs for review and approval.

(4) If the University's organisational unit responsible for legal affairs does not agree with the contents of the draft findings, it shall be obliged to initiate consultations with the whistleblower protection lawyer within 3 (three) working days of receiving the draft findings. Should this prove unsuccessful, the Chief Executive Officer shall decide on the matters set out in the draft findings, taking into account the legal department's dissenting opinion.

(5) If the University's organisational unit responsible for legal affairs agrees with the contents of the draft findings, the head of that unit shall sign it within 3 (three) working days of receiving the draft

findings and forward it to the Chief Executive Officer.

(6) Once the findings have been finalised, the Chief Executive Officer shall submit it without delay, but no later than within 2 (two) working days, to the heads of the University's competent organisational units, who shall decide on the implementation of the measures set out in the findings, their deadlines and the appointment of persons responsible for their implementation, in agreement with the Chief Executive Officer.

(7) The heads of the organisational units responsible for implementing the measure in question shall, within 2 (two) working days of the measure being implemented, notify the Chief Executive Officer, the University's organisational unit responsible for legal affairs and the whistleblower protection lawyer in writing, by email.

(8) If, on the basis of the report, the initiation of criminal proceedings is warranted, the Chief Executive Officer shall take the necessary steps to make a criminal complaint.

(9) The whistleblower protection lawyer shall inform the whistleblower in writing – including by email – of the outcome of the investigation into the report and of any measures taken or planned, using the contact details provided by the whistleblower. In this context, the whistleblower protection lawyer must not disclose any information concerning the identity of the person concerned by the report or of the person who possessed substantive information regarding the matters set out in the report, the content of any statements made by them, or the content of any documents or records uncovered during the investigation. The only information that may be disclosed to the whistleblower is whether any misconduct has been uncovered, and, in general terms, what sort of measures have been or will be taken.

(10) There is no right of appeal against the findings within the University.

Protection afforded to whistleblowers
Section 7

(1) The University shall ensure that the whistleblower does not suffer any adverse legal consequences as a result of making the report.

(2) The protection afforded to the whistleblower under the Complaints Act shall apply only if the reported information concerning the circumstances to which the report relates falls within the scope of the European Union legal acts listed in Annexes 1 and 2 to the Complaints Act, or of the provisions of law implementing those legal acts or ensuring compliance with them, or if the whistleblower has reasonable grounds to believe that this is the case.

(3) Where a report is made lawfully, the whistleblower shall not be held liable for acquiring or accessing the information contained in the report, unless the whistleblower committed a criminal offence by acquiring or accessing such information. The whistleblower shall not be held liable for making the report lawfully if they had reasonable grounds to believe that the report was necessary to bring the circumstances of the reported matter to light.

(4) Any adverse measure taken to the detriment of the whistleblower which is taken as a result of the lawful lodging of the report, and which is implemented in connection with legal relationships or contractual relationships as defined in the Complaints Act, shall be deemed unlawful even if it would otherwise be lawful. Similarly, any adverse measure taken to the detriment of the legal entity owned by the whistleblower, or any legal entity being in a legal relationship aimed at employment or other contractual relationship with the whistleblower, which is taken as a result of the lawful lodging of the report, shall be deemed unlawful even if it would otherwise be lawful.

(5) Adverse measures are listed in Section 41(2) of the Complaints Act.

(6) If the whistleblower suffers any adverse measures as a result of having made a report, they may initiate administrative or judicial proceedings in connection with such adverse measures.

Rules governing data processing
Section 8

(1) Within the framework of the internal whistleblowing system, the personal data strictly necessary for investigating the report of

(a) the whistleblower,

(b) the person whose conduct or omission gave rise to the report, and
(c) the person who may have substantive information concerning the matters reported may be processed only for the purpose of investigating the report and remedying or bringing to an end the conduct to which the report relates.

(2) Of the personal data processed within the framework of the internal whistleblowing system, the whistleblower protection lawyer shall take immediate steps to ensure the erasure of any personal data not covered by the above paragraph.

(3) The personal data of the whistleblower may not be disclosed without their consent.

(4) The personal data of the whistleblower who has opted to disclose their identity and of the person concerned in the report must not be disclosed to anyone other than those authorised to have access to it.

(5) The personal data of the whistleblower may only be disclosed to the body competent to conduct the proceedings if that body is authorised by law to process such data, or if the whistleblower has consented to the disclosure of their data.

(6) Where a report concerns a natural person and that person wishes to exercise their right to information and access, the personal data of the whistleblower may not be made accessible to that person.

(7) Until the investigation is concluded or until formal disciplinary proceedings are initiated as a result of the investigation, the whistleblower protection lawyer may share information relating to the content of the report and the person concerned in the report – in addition to informing the person concerned in the report – only to the extent strictly necessary for the conduct of the investigation with other organisational units or staff members of the University.

(8) Where it becomes apparent that the whistleblower has, in bad faith, provided false data or information and
(a) thereby circumstances arose suggesting that a criminal offence or administrative offence has been committed, hence the whistleblower's personal data must be disclosed to the body or person authorised to conduct the proceedings,
(b) there are reasonable grounds to believe that the whistleblower has caused unlawful damage or other legal harm to another person, hence that whistleblower's personal data must be disclosed, upon request, to the body or person authorised to initiate or conduct the proceedings.

(9) The transfer of data processed within the framework of the internal whistleblowing system to a third country or an international organisation may only take place where the recipient of the transfer has made a legal commitment to ensure compliance with the rules set out in this Act relating to the report, and subject to the provisions on the protection of personal data.

(10) The data processing notice issued by the University regarding data processing carried out in connection with the operation of the internal whistleblowing system is available on the University's website.
[https://api.mome.hu/uploads/Bejelentovedelem_adatkezelesi_tajekoztato_67155ffcaa.pdf]

Final provisions
Section 9

(1) This Policy was adopted by the University Senate by its Resolution No. 37_2024/2025 (11.25.).
(2) This Policy shall enter into force on the day following its publication.

Budapest, 26 February 2025

Pál Koós
Rector

Réka Matheidesz
CEO