

Handled by:
CAS Head Office

Ref. no.: AVCR
1542/2025 SPO

URL:
http://interni.avcr.cz/Dokumenty/Interni_normy/

Internal Regulations
Czech Academy of Sciences

**Guideline No. 2 of the Academy Council of the Czech
Academy of Sciences**

dated 04 February 2025,

on the CAS Ombudsman

Guideline distributed on 06 February 2025

CHAPTER I

General Provisions

Section 1

Basic Provisions

- (1) This guideline is issued for the purpose of protecting persons working at the Czech Academy of Sciences (hereinafter the “CAS”) and at CAS institutes, regardless of their work relationship, job title, merit, experience or academic rank (hereinafter “Employees”), including students and external collaborators.
- (2) The purpose of this guideline is to strengthen the protection of persons stated in para. 1 from undesirable behaviour that does not fall within the scope of ethics of scientific research activities and is, in particular, defined in the Code of Conduct of the Czech Academy of Sciences¹ (hereinafter “Undesirable Behaviour”). Undesirable behaviour stated in the Code of Ethics for Scientific Research of the Czech Academy of Sciences² is dealt with by the Scientific Integrity Committee of the CAS, which is an ancillary body of the CAS Science Council. In the event of a lack of clarity, Undesirable Behaviour will be assessed in accordance with this guideline.
- (3) Protection from Undesirable Behaviour in accordance with para. 2 is performed by individual ombudsmen at CAS institutes, if established, or through the CAS ombudsman³. The function of the CAS ombudsman is performed by one or two persons (a tandem); in the case of a tandem, they perform their activities independently, without prejudice to the possibility of them working together. Persons of the same gender cannot work in tandem.
- (4) Administrative support for the CAS ombudsman is provided by the secretary, who is an employee of the CAS Head Office. The secretary is obliged to maintain confidentiality about facts of which they learn in connection with the performance of their work. This duty endures after the end of their term.
- (5) The CAS ombudsman is appointed and dismissed by the President of the CAS and is in an employment or contractual relationship with the Czech Academy of Sciences. The term of office of the CAS ombudsman is at least 2 years, up to 4 years. The number of terms of office is not limited. The position is filled based on a selection process in accordance with Chapter IV of this guideline.

CHAPTER II

Section 2

Scope of Authority

- (1) The CAS ombudsman examines complaints and specific situations concerning Undesirable Behaviour at the CAS and at CAS institutes (hereinafter the “Complaint Investigation”) and also helps create measures and procedures for the prevention of Undesirable Behaviour. Outputs from the CAS ombudsman have the nature of recommendations.

¹ Instruction of the Academy Council of the Czech Academy of Sciences No. 6/2024, on the basis of which the Code of Conduct of the Czech Academy of Sciences is issued (hereinafter the “Code of Conduct of the Czech Academy of Sciences”).

² Code of Ethics for Scientific Research of the Czech Academy of Sciences, approved by the Academy Assembly on 15 April 2024.

³ In this text, the term “CAS ombudsman” is used regardless of gender.

- (2) The CAS ombudsman in particular:
- a) follows the Code of Conduct of the Czech Academy of Sciences,
 - b) disseminates awareness of a safe working environment and the methods of preventing Undesirable Behaviour in the CAS, in particular through education at the CAS and at institutes,
 - c) provides help to persons that contact them, or refers such persons to other relevant bodies and institutions,
 - d) investigates complaints by the persons stated in Section 1(1),
 - e) investigates complaints and specific situations at their own initiative, if they reasonably suspect Undesirable Behaviour,
 - f) proposes measures to resolve complaints and specific situations, as well as long-term measures with a preventive effect,
 - g) defends the legitimate interests of the persons stated in Section 1(1),
 - h) if necessary, proposes to the President of the CAS the appointment of an independent ad hoc expert work group to investigate a complaint.
- (3) The CAS ombudsman does not deal with:
- a) employment law complaints,
 - b) complaints concerning a breach of the internal regulations and processes of the CAS or CAS institutes,
 - c) complaints concerning a breach of the ethics of scientific research; they hand them over to the Scientific Integrity Committee of the CAS,
 - d) reports of unlawful conduct in accordance with the Whistleblower Protection Act⁴, specifically requested by the relevant person and agreed to by the whistleblower.
- (4) The CAS ombudsman does not interfere with activities and decision-making of the CAS bodies and CAS institute bodies, nor do they decide on the rights and duties of the persons in accordance with Section 1(1), nor do they act as an administrative authority.

Section 3

Principles

- (1) The CAS ombudsman has to follow the principles of independence, ensuring safety, transparency, prevention and an empathetic and participative approach. In accordance with the principle of transparency, they provide clear information about the scope of their activities and participate in comprehensible communication about the values and objectives of the CAS as a whole.
- (2) The CAS ombudsman may not participate in the investigation of complaints where there is a risk of them being biased or where they themselves declare a conflict of interests. A conflict of interest is understood to mean also a past or current personal relationship of the CAS ombudsman that could unfavourably influence their independence. If the position is held by a tandem, the complaint investigation is taken over by the other CAS ombudsman. If there is no tandem, the President of the CAS appoints an ad hoc commission.
- (3) The CAS ombudsman is obliged to maintain confidentiality about facts of which they learn in connection with the performance of their work, with the exception of Section 4.

⁴ Act No. 171/2023 Coll., on the protection of whistleblowers.

This applies even after the end of their term. This is without prejudice to the option of mutual cooperation in case of a tandem in accordance with Section 1(3).

- (4) A person who contacts the CAS ombudsman cannot be penalised or disadvantaged for this reason in any way.
- (5) The CAS ombudsman may, due to the complaint investigation of Undesirable Behaviour, request information from CAS bodies and employees or from CAS institutes. The complaint investigation is performed in close cooperation with the director of the CAS institute, if deemed expedient and if it does not lead to a conflict of interest concerning the reporting and affected persons.
- (6) During complaint investigation, the CAS ombudsman shall follow, in particular, the following principles:
 - a) they will comply with the principle of impartiality and independence and will not accept instructions from any persons or bodies in the course of their activities,
 - b) they will ensure the maintenance of the dignity of the reporting and affected persons and, in the case of their request, also the maintenance of anonymity.
- (7) The CAS ombudsman acquaints themselves with the relevant internal regulations of the Czech Academy of Sciences, educates themselves and ensures their professional development.

CHAPTER III

Cooperation and Collaboration

Section 4

President of the CAS and CAS Ombudsman

- (1) The CAS ombudsman acts in cooperation with the President of the CAS.
- (2) The CAS ombudsman keeps the President of the CAS informed about their activities and also submits to them:
 - a) ongoing written reports on complaint investigation,
 - b) a final written report on their activities for the previous calendar year, no later than by 28 February of the following year.
- (3) The CAS ombudsman is obliged to promptly inform the President of the CAS:
 - a) if they cannot perform the duties of the CAS ombudsman,
 - b) of a fact that prevents them from investigating a specific complaint, or
 - c) of facts they find material during the performance of their work.
- (4) With the consent of the President of the CAS, the CAS ombudsman can publish their statement on a complaint or specific situation. They will always publish their statement if they are called on to do so by the President.
- (5) In the event of a complaint about Undesirable Behaviour of the President of the CAS or a complaint that is submitted by the President of the CAS about the Undesirable Behaviour of another person regarding them, the CAS ombudsman will act in cooperation with one of the Vice Presidents of the CAS Academy Council.
- (6) Complaints about actions by the CAS ombudsman are handled by the President of the CAS.

Section 5

- (1) The ombudsman also cooperates in particular:
 - a) at the internal level of the CAS with bodies of the CAS, the director of the CAS Head Office and the President of the Scientific Integrity Committee of the CAS,
 - b) at the internal level of CAS institutes with CAS institute bodies, in particular with the director, who provides the ombudsman with their cooperation, or with the institute ombudsman, if such or similar position is established,
 - c) at the external level with persons with a similar specialist focus, in particular ombudsmen (ombudspersons) at universities.
- (2) CAS bodies and persons in accordance with Section 1(1) will provide the CAS ombudsman with the necessary cooperation, in particular during complaint investigation and creation of measures and procedures to prevent Undesirable Behaviour, including education in this area.

CHAPTER IV

Selection Process for Position of CAS Ombudsman

Section 6

The President of the CAS appoints members of the selection commission for filling the position of CAS ombudsman, which is then chaired by the President or a representative they choose. The selection process is handled by the CAS Head Office.

Section 7

Qualification Requirements for the Position

- (1) The requirements for the position of CAS ombudsman are in particular:
 - a) university education (at least a master's degree),
 - b) clear criminal record,
 - c) very good knowledge of the Czech or Slovak language and good knowledge of the English language at a level that allows the investigation of complaints by persons speaking foreign languages,
 - d) expertise or work experience relevant to the expected range of complaints, in particular in the field of equal opportunities, bullying, discrimination against persons or sexual harassment,
 - e) knowledge of the basics of employment law,
 - f) training in dispute resolution is an advantage.

Section 8

General Provisions

The CAS Head Office provides the necessary support for their activities, in particular legal, material and technical support and the possibility of education, and creates conditions to enable them to carry out their activities independently.

Section 9

Effect

This guideline comes into effect on 10 February 2025.

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President of the Czech Academy of Sciences