



**Ordinance No. 108**  
**of the Rector of the Warsaw University of Life Sciences**  
**of 8 November 2022**  
**on the introduction of the Discrimination Reports and Response Procedures**  
**at the Warsaw University of Life Sciences**

Acting pursuant to §20 sec. 2 and 5 (12) of the SGGW Statute, and § 2 sec. 2 (1) and (2), and § 3 sec. 1 (5) of the SGGW Anti-Discrimination Standard constituting an Annex to Ordinance No.139 of the Rector of the Warsaw University of Life Sciences of 31 December 2021 on the introduction of the SGGW Anti-Discrimination Standard, it is hereby resolved as follows:

§ 1

The "Discrimination Reports and Response Procedures" has been introduced at the Warsaw University of Life Sciences in the wording constituting the Annex hereto.

§ 2

Rector shall be the authority to supervise the introduction and implementation of the ordinance.

§ 3

The ordinance shall enter into force on the date of its adoption.

Rector  
of the Warsaw University of Life Sciences,  
prof. dr hab. Michał Zasada  
/ signed with a qualified electronic signature /

## **Discrimination Reports and Response Procedures at the Warsaw University of Life Sciences**

### **§ 1**

#### **General Provisions**

1. The SGGW Discrimination reports and Response procedures hereinafter referred to in as the "*Procedure*" defines the consolidated procedures against discrimination including a violation of the equal treatment principle, and any activities when such events occur with regard to sec.2.
2. The purpose of its introduction is to support any activities that prevent discrimination and protect working and studying people against the discrimination, as well as reacting in the event of its occurrence.

### **§ 2**

#### **Definitions**

Whenever the procedures refer to:

- 1) discrimination - shall be understood as any hostile act and behaviour that deprives from the right to equal treatment. Unfair or unfavourable actions or treatment of people due to their real or alleged group membership, including identity features, such as: gender, age, disability, race, colour, religion or beliefs, nationality, political beliefs, trade union membership, ethnic origin, sexual orientation, employment for a fixed or indefinite period of time, full-time or part-time employment;
- 2) unequal treatment - shall be understood as different treatment that cannot be explained by any objective reasons, and which cannot be justified;
- 3) Rector's Committee for Preventing Discrimination/ rector's Anti-Discrimination Committee, Committee - shall be understood the rector's anti-discrimination committee appointed by the Rector in accordance with the terms set out in § 6 of the SGGW Equal Treatment and Anti-Discrimination Policy at the Warsaw University of Life Sciences introduced by ordinance of the Rector of the Warsaw University of Life Sciences;
- 4) Coordinator for Equal Treatment - shall be understood as a person appointed by the head of the SGGW organizational unit in accordance with the terms set out in § 7 of the SGGW Equal Treatment and Anti-Discrimination Policy at the

Warsaw University of Life Sciences introduced by ordinance of the Rector of the Warsaw University of Life Sciences;

- 5) a person with the status of the SGGW employee - shall be understood as a person employed at SGGW based on an employment relationship, irrespective of the employment basis (employment contract, appointment, designation, election) or a person performing work for the University on the basis of a civil law contract;
- 6) a person with the status of a SGGW doctoral student - shall be understood as an attendee of the doctoral studies conducted at SGGW, a doctoral student of the SGGW Doctoral School or the Doctoral School of Translational Medicine, or any other person in the process of getting a doctoral degree at SGGW;
- 7) a person with the status of a SGGW student - shall be understood as a person studying in the first-cycle, or second-cycle of the university level, and uniform master's studies at SGGW;
- 8) SGGW organizational unit – shall be understood as the SGGW organizational unit indicated in the SGGW Organizational Regulations;
- 9) complaint - shall be understood as a notification concerning a suspected violation of the equal treatment principle;
- 10) decision - shall be understood as the Committee's opinion on the submitted complaint along with the justification, indicating whether the actions or omissions alleged in the complaint were of a discriminatory nature, also the reasons and extent of discrimination, and in case when the complaint concerns the actions or omissions of a specific person, and whether the above-mentioned person committed the improper practices identified in the complaint.

### **§ 3**

#### **Rector's Committee for Preventing Discrimination (Rector's Anti-Discrimination Committee) - powers and tasks**

1. The Rector's Anti-Discrimination Committee works on all issues related to anti-discrimination at SGGW. The Committee conducts explanatory proceedings, including issuing decisions regarding the complaint, and takes appropriate actions referred to in para. 2 (2) and § 5 sec. 6 - 8.
2. The Committee's tasks in terms of diagnosing and responding to cases of discrimination also include:
  - 1) preparation of justification for the decision, including full information and documentation of considered complaints,
  - 2) formulating proposals for preventing and removing the effects of discrimination and presenting proposals for resolving individual complaints,
  - 3) preparation of written or electronic documentation of any activities undertaken by the Committee.

3. Consideration of cases described in the complaints submitted by the Committee should be carried out in accordance with the following rules:
  - 1) promptness;
  - 2) confidentiality;
  - 3) impartiality.

Written minutes should be drawn up of the meetings of the Committee.

4. The provisions of Annex No. 1 "Principles of functioning of collective bodies and committees appointed by these bodies" of the SGGW Statute shall apply accordingly to the principles of functioning of the Committee.
5. All Committee members should have some basic knowledge and orientation in the field of labour law, including the question of equal treatment and preventing discrimination. Before starting the activities of the Committee, its members need to take part in the training in the scope of preventing discrimination in the academic environment.
6. Before commencing their duties, each member of the Committee should submit a written statement that they have read the Procedure and undertake to comply with it, as well as a statement that they have read the provisions on the protection of personal data and keep them confidential in accordance with the SGGW Privacy Policy.
7. Any member of the Committee should also submit a written declaration of confidentiality regarding all information acquired in the performance of the function of the Committee member and a declaration of conflict of interest. The template of the declarations constitutes the Annex to the Procedure.
8. All persons participating in the explanatory proceeding covered by the Procedure, in particular persons referred to in § 5 sec. 2, are obliged to maintain confidentiality regarding all information (irrespective of the form of acquisition) covered by these proceedings. The Chairperson of the Committee should inform about the obligation to maintain confidentiality.

## **§ 4**

### **Persons entitled to file complaints and preliminary actions**

1. Any person with the status of a student, doctoral student and SGGW employee has a right to submit a complaint on the terms set out below.
2. Any complaint shall be considered by the Committee provided that the events took place at the SGGW premises or were related to its activities, subject to sec. 3 and 4.
3. The complaint should be submitted within one year from the event or the last in a series of events that are the subject of the complaint. If a complaint was submitted after the deadline indicated in the preceding sentence, the

Chairperson of the Committee may decide to accept it for consideration by the Committee only in justified situations.

4. Any anonymous complaints shall not be further processed and remain unexamined.
5. The complaint should be submitted in writing or electronically to the Coordinator for Equal Treatment competent for the SGGW organizational unit where the person submitting the complaint performs their duties or tasks, subject to sec. 6 and 7.
6. The Coordinator for Equal Treatment shall conduct a preliminary analysis of the complaint. Therefore, the person submitting the request should be interviewed immediately. The coordinator may also interview the person concerned by the complaint. After the preliminary analysis of the complaint, including the collected documentation, the Coordinator submits documents regarding the complaint to the Secretary of the Committee in a written or electronic form.
7. The secretary of the Committee registers the complaint in the register and forwards it to the Chairperson of the Committee.
8. In the case the complaint concerns one of the members of the Rector's Anti-Discrimination Committee, any activities related to the preliminary analysis of the complaint should be taken by the Chairperson of this Committee.
9. If the complaint concerns the Chairperson of the Rector's Committee for Preventing Discrimination, any activities related to the preliminary analysis of the complaint should be undertaken by a member of the Committee appointed by the Rector.
10. The person lodging the complaint or the person to whom the complaint relates may also submit a written request to exclude a member of the Committee from the proceedings.

## **§ 5**

### **Explanatory proceedings**

1. Following receiving the complaint from the Secretary of the Committee, together with the collected documentation, the Chairperson of the Committee, without undue delay, sets the first date for the meeting of the Committee to familiarize other members with the complaint and documents and to take appropriate actions specified in § 3 sec. 1 and 2 and § 5 sec. 7 - 9.
2. Only members of the Committee who are not related to the SGGW organizational unit which the complaint relates to may participate in the meetings of the Committee. Any member of the committee who is in a financial, social, family or private relationship with the person targeted by the complaint, or if the complaint concerns their direct supervisor, cannot participate in the

examination of the complaint and the issuance of a decision regarding the complaint.

3. By the decision of the Chairperson of the Committee, the meetings of the Committee may be attended in an advisory capacity by: an expert in psychology, an expert in law, a representative of the Student Council, a representative of the Doctoral Students' Council or another person whose expert assistance may be helpful when analysing the case.
4. The person targeted by the complaint should be informed in writing or electronically on the initiation of explanatory proceedings by the Secretary of the Committee.
5. As part of the explanatory proceedings, the Committee may call on the person targeted by the complaint to submit explanations and respond to questions. The Committee may also summon and listen to any persons who may have information on the case, ask them questions and get acquainted with the necessary documents. The head of each SGGW organizational unit, as well as any person with the status of an employee, student or doctoral student is obliged to provide documents and information on matters related to the explanatory proceedings conducted by the Committee subject to the applicable provisions of law.
6. The explanatory proceedings conducted by the Committee should be completed within two months from the date of receipt of the complaint by the Committee's Chairperson.
7. The Committee, based on the documentation collected as part of the explanatory proceedings, shall adopt a decision and appropriate actions referred to in § 3 sec. 1 and 2, § 5 sec. 8 - 9.
8. In justified cases, the Committee may recommend initiating anti-mobbing proceedings or transferring the case to the disciplinary ombudsman in accordance with the provisions of the Act of 20 July 2018 Law on Higher Education and Science (Journal of Laws 2022, item 574, as amended).
9. The Committee may also recommend the Rector of SGGW to implement corrective measures, in particular:
  - 1) to direct the person targeted by the complaint to a mandatory anti-discrimination training course;
  - 2) to train employees or supervisors of a given SGGW organizational unit on how to prevent discrimination;
  - 3) to transfer a person who has been discriminated or person targeted by the complaint to another position or to another organizational unit;
  - 4) to change existing practices and to introduce some new anti-discrimination solutions;
  - 5) to change the course of studies of a discriminated person with the status of a student or doctoral student, in particular: to change the group, or a person conducting the classes, or the examiner or to conduct the exam in the presence of another person as an observer, to give a possibility of retake, or to complete the course with reservations;

- 6) to change the course of studies of a person targeted by the complaint with the status of a student or doctoral student, in particular: a ban on attending classes conducted by a discriminated person, a ban on attending classes attended by a discriminated person.

## **§ 6**

### **Termination of the explanatory proceedings regarding the submitted complaint**

1. The decision, together with the appropriate measures taken by the Committee referred to in § 3 sec. 1 and 2, § 5 sec. 7 - 9, shall be submitted in writing or electronically to the Rector of the Warsaw University of Life Sciences.
2. In the event that the adopted decision finds that the actions or omissions described in the complaint are discriminatory, The Rector of the Warsaw University of Life Sciences, after consulting the relevant head of the SGGW organizational unit and/or the direct supervisor of the person targeted by the complaint, may decide in writing to impose a disciplinary penalty or a fine or to initiate actions referred to in § 5 sec. 7 and 8.
3. The decision of the SGGW Rector shall be communicated to the relevant heads of SGGW organizational units and the person submitting the complaint. If the complaint concerns a person, the decision should be also transferred to the person targeted by the complaint.

## **§ 7**

### **Consequences of issuing a decision confirming the occurrence of discrimination**

In the event the discrimination has occurred:

- 1) A discriminated person with the status of a student or doctoral student may submit a written request to the head of the relevant SGGW organizational unit for a change in the course of study, in particular a change of the group or the examiner, to avoid any further contact with the person targeted by the complaint. The head of the SGGW organizational unit is obliged, as far as technically and organizationally possible, to comply with the submitted application. If the person targeted by the complaint is the head of the SGGW organizational unit, the application should be submitted to the Rector of SGGW. The application may be also submitted to the SGGW Rector, if there is a justified suspicion of a conflict of interests of the head of the organizational unit of in a given case;
- 2) A discriminated person with the status of an employee may apply in writing to the head of the SGGW organizational unit employing them for a change of the

organization of work in the given unit or to change the workplace to avoid contact with the person targeted by the complaint. The head of the SGGW organizational unit is obliged, as far as technically and organizationally possible, to comply with the submitted application. If the person targeted by the complaint is the head of the SGGW organizational unit, the application should be submitted to the Rector of SGGW. The application may be also submitted to the SGGW Rector, if there is a justified suspicion of a conflict of interests of the head of the organizational unit of in a given case.

Annex to the Discrimination Reports and Response Procedures  
at the Warsaw University of Life Sciences

**Declaration of Confidentiality  
and  
Declaration of Conflict of Interest**

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(name and surname of the member of the Rector's Committee for Preventing Discrimination/Rector's Anti-Discrimination Committee)

I, the undersigned, \*) hereby declare that I undertake to exercise the greatest discretion with regard to all information coming to my knowledge in the course of, or in connection with, my work as a member of the Rector's Committee for Preventing Discrimination/Rector's Anti-Discrimination Committee, in particular to information included in the considered complaints.

The obligation of confidentiality referred to above shall be perpetual, unless the information is no longer considered confidential and becomes generally available to the public.

At the same time, I declare that with regard to complaints considered by the Rector's Committee for Preventing Discrimination, I will not participate in the explanatory proceedings and the Committee's decision regarding a complaint targeting a person with whom I have a financial, private, social or family relationship, or regarding my immediate supervisor.

\* delete if not applicable

Warsaw, on .....

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(signature of the Committee's member)