



# Whistleblowing Policy

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<i>Please note: The English version of this document is a courtesy translation. Only the German version is legally binding.</i>		

## **1. Purpose**

Implementation of the federal law on the procedure and protection in the event of indications of violations of rights in certain areas (Whistleblower Protection Act - HSchG), Federal Law Gazette I No.6/2023. Implementation of the EU Whistleblowing Policy.

Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law.

## **2. Scope**

This process description applies to all persons employed at Graz University of Technology (TU Graz). Its scope of application extends to third parties, such as students and business partners of TU Graz.

## **3. Distributor**

To all employees and students of TU Graz.

## **4. Applicable documents**

Whistleblower Protection Act – HSchG. Directive (EU) 2019/1937, the Code of Conduct (Compliance Policy) of TU Graz as well as guidelines applicable at TU Graz. All regulations and standards relevant to the university, such as the Universities Act, the Austrian Criminal Code, the TU Graz Statutes and others, remain unaffected.

## **5. Process accountability**

The Rectorate staff member responsible for personnel is also responsible for process accountability.

## 6. Introduction

Whistleblowing is an English term and means “to blow the whistle”, “to uncover”, “to draw attention to”. A whistleblower, therefore, is a person who uncovers corruption or wrongdoing in an organisation and reports this to a specially established office.

The following process should enable employees, but also students and external business partners, to report evidence of violations and confidential information via an electronic mailbox without having to fear losing their jobs or experiencing retaliation.

This Directive establishes common minimum standards for the protection of persons who report breaches of legal provisions within the meaning of Section 3 of the Whistleblower Protection Act - HSchG<sup>1</sup>. Not only whistleblowers are protected by this Directive, but also the persons affected by the report. This helps to prevent damage to the person's reputation or other negative consequences.

### 6.1 Internal reporting channel

An electronic mailbox for whistleblowers has been set up at TU Graz, which meets the requirements of the underlying HSchG and the EU directive:

- The internal reporting system is available to all TU Graz employees, but also to students and business partners.
- The report is submitted to an impartial person.
- The reporting channel is secure, i.e. the identities of the whistleblowers and persons concerned are treated confidentially. Unauthorised persons have no access.
- The whistleblower receives feedback within 3 months.

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<sup>1</sup> Whistleblower Protection Act - HSchG, Federal Law Gazette I No.6/2023 and RL 2019/1937/EU AbI L 305/17, 18

- The whistleblower is provided with sufficient protection and does not suffer any negative consequences. The protection is also provided for anonymous whistleblowers, should they be identified.

## **6.2 How do whistleblowers submit the report?**

Whistleblowers can use the electronic mailbox to report tips, evidence of violations, or confidential information to the Rectorate staff member responsible for personnel and the chairpersons of the Works Council as impartial persons in the sense of HSchG and the EU Directive. The internal reporting system guarantees the confidentiality of the identities of the whistleblower and third parties in the sense of the DSGVO (in German: *Datenschutz-Grundverordnung*, which is the Austrian equivalent to the GDPR).

## **6.3 What happens to the report?**

Within 7 days after the receipt of the report, a confirmation of the submitted report will be sent (unless the report was submitted anonymously).

In consultation with the chairpersons of the Works Council, the Rectorate staff member responsible for personnel will forward the report in an anonymised form to the Legal Matters & Insurance Management OU for preliminary review.

Contact with the whistleblower is maintained by the Rectorate staff member responsible for personnel.

Depending on the content of the report, the Rectorate staff member responsible for personnel will inform the entire Rectorate if necessary and, if necessary, forward the report to the responsible bodies such as the Internal Auditing OU, Commission for Scientific Integrity and Ethics, Data Protection Advisory Committee, etc.

The Rectorate staff member responsible for personnel will ensure that the matter is dealt with and that feedback is provided to the whistleblower in good time, unless the

report has been submitted anonymously, and that any necessary internal coordination is carried out to deal with consequences, of which the chairpersons of the Works Council will be informed.