

**ORDINANCE No. 159/2020**  
**of the Rector of the University of Wrocław**  
**of 18 December 2020**

**amending Ordinance No. 106/2020 of the Rector of the University of Wrocław**  
**on the introduction of anti-discrimination policy at the University of Wrocław, the**  
**determination of the operating rules of the Committee for Equal Treatment at the**  
**University of Wrocław and of the Ombudsperson for equality and non-**  
**discrimination at the University of Wrocław**

Pursuant to Article 23, sections 1 and 2 of the Act of 20 July 2018 - Law on Higher Education and Science (consolidated text: Journal of Laws of 2020, item 85, as amended), it is ordered as follows:

§ 1. Ordinance No. 106/2020 of the Rector of the University of Wrocław of 18 August 2020 on the introduction of anti-discrimination policy at the University of Wrocław, the determination of the operating rules of the Committee for Equal Treatment at the University of Wrocław and of the Ombudsperson for equality and non-discrimination at the University of Wrocław is amended as follows:

1) the ordinance is titled as follows:

“on the introduction of anti-discrimination policy at the University of Wrocław, the determination of the operating rules of the Committee for Equal Treatment at the University of Wrocław and of the Ombudsperson for equality and anti-discrimination at the University of Wrocław”;

2) § 3 shall be read:

“3. The rules of operation of the Ombudsperson and representatives for Equal Treatment and Anti-Discrimination at the University of Wrocław are introduced, which constitute Appendix No. to this Ordinance.”.

§ 2. The Procedure for Counteracting Discrimination at the University of Wrocław, constituting Appendix No. 1 to Ordinance No. 106/2020 of the Rector of the University of Wrocław of 18 August 2020, is amended as follows:

1) § 4 shall be read:

“§ 4

1. Any member of the university community may, in writing or via official email, submit a request for informal resolution of a case to the UWr Ombudsperson for Equal Treatment and Anti-Discrimination, hereinafter referred to as the Ombudsperson, or to the dean's representative/head of a non-departmental unit for equal treatment and anti-discrimination matters, hereinafter referred to as the dean's representative/head of a non-departmental unit. The application must identify the person whose act is the subject of the application, the person whose legal good may have been directly violated or threatened by the act, hereinafter referred to as the victim, and describe the allegations, as well as indicate the evidence. The application must relate to a situation that took place on the UWr premises or was functionally related to its activities. The template for the request for informal resolution of the case is **attached as Appendix No. 1** to this Procedure.
2. The jurisdiction of the representative of the dean/head of the non-departmental unit for equal treatment and anti-discrimination is determined by the affiliation of the aggrieved person to the UWr unit where he/she studies or performs his/her duties. If the victim studies or performs duties in at least two UWr units, jurisdiction is determined by the place where the act was committed.

3. Upon receipt of the application, the Ombudsperson or the representative of the dean/head of a non-departmental unit shall meet separately with the applicant, the aggrieved person and the person whose act is the subject of the application for clarification, mediation and finding a joint solution to the case. If necessary, the Ombudsperson or the representative of the dean/head of a non-departmental unit may meet with other persons.
  4. Informal proceedings should not take more than 21 days from the date of receipt of the application.
  5. Either the ombudsperson or the representative of the dean/head of a non-departmental unit may recommend to the Rector the introduction of appropriate safeguards to protect the university environment.
  6. Persons participating in informal proceedings are required to maintain confidentiality.
  7. In the event of an agreement, its content and terms shall be included in a memorandum containing a brief description of the charges and instruction on the consequences of its violation or non-implementation, signed by the parties and the Ombudsperson or the representative of the dean/head of the non-departmental unit. The form of the record of agreement is attached as **Appendix No. 2** to this Procedure.
  8. Violation or non-performance of the terms of the agreement shall constitute a violation of this Procedure. In the event of a violation or non-implementation of the agreement, the aggrieved person may file a request as referred to in § 5 of the procedure.
  9. Until the record of agreement is signed, the aggrieved person may withdraw the request for informal resolution and file a formal complaint as described in § 5 of the Procedure.
  10. The ombudsperson or the representative of the dean/head of a non-departmental unit shall be obliged to inform the Chairman of the UWr Equal Treatment Committee, hereinafter referred to as the Chairman, of the manner in which the informal proceedings were concluded.”;
- 2) Appendix No. 1 to the Procedure is replaced by the wording set forth in Appendix No. 1 of this Ordinance;
  - 3) Appendix No. 2 to the Procedure is replaced by the wording set forth in Appendix No. 2 of this Ordinance;
- § 3. Appendix No. 3 to the Procedure is replaced by the wording set forth in Appendix No. 3 of this Ordinance;

§ 4. The Ordinance shall come into effect as of the date of signature.

**prof. dr hab. Przemysław Wiszewski**  
**R E C T O R**

### Template of a request to resolve a case informally

**Ombudsperson for equal treatment  
and anti-discrimination at the UWr/  
Representative of the Dean/Head  
of a non-departmental unit**

.....  
(unit name)

**equal treatment and anti-discrimination\***

I request to resolve a case informally in relation to an alleged act that infringes the principle of equal treatment and anti-harassment or sexual harassment rule committed by ..... (name and surname of the person whose act is the subject of the request, name of the faculty and/or the organisational unit) to the detriment of

.....  
(name and surname of the injured person, name of the faculty and/or the organisational unit).

Succinct description of the infringement of the principle of equal treatment and anti-harassment or sexual harassment rule (place and time the offence was committed, its circumstances, description of the act and its consequences):

.....  
.....  
.....  
.....  
.....

I present the following evidence:

- 1) witnesses:
  - a).....  
(name and surname, name of the faculty and/or the organisational unit)  
(...)
- 2) documents:
  - a).....  
(date of drafting and title of document)  
(...)
- 3) other evidence:
  - a).....  
(identification)  
(...)

\* delete as appropriate

### Settlement Record Form

On ....., in Wrocław, by:

.....  
(name and surname of the person whose act is the subject of the request, name of the faculty and/or the organisational unit)

and

.....  
(name and surname of the injured person, name of the faculty and/or the organisational unit)

in the presence of the UWr Ombudsperson for equal treatment and anti-discrimination the following settlement has been concluded:

..... (name of unit) for equal treatment and anti-discrimination\*  
the following settlement has been concluded:

#### 1/ Contents and conditions of the settlement

.....  
.....  
.....  
.....  
.....

#### 2/ Brief description of the allegations

.....  
.....

3/ The parties have been instructed by the UWr Ombudsperson for equal treatment and anti-discrimination/Dean's Representative/Head of a non-departmental unit for equal treatment and anti-discrimination\* that a breach or a failure to execute the conditions of the settlement constitutes an infringement of the equal treatment, anti-discrimination and non-harassment Policy, which the parties confirm with their signatures below.

.....

.....

(signature of the person whose act is the subject of the request) (injured person's signature)

.....  
Ombudsperson for equal treatment and anti-discrimination at the UWr/  
Dean's Representative/Head of a non-departmental unit for equal treatment and anti-discrimination

\* delete as appropriate

## **Rules of the Ombudsperson and representatives for equal treatment and anti-discrimination at the University of Wrocław**

### **§ 1**

1. The Ombudsperson for equal treatment and non-discrimination at the University of Wrocław, hereinafter referred to as the Ombudsperson, is appointed by the Rector of the University of Wrocław for the period covering the Rector's term of office.
2. The Ombudsperson's tasks include:
  - 1) conducting proceedings on the informal resolution of cases in accordance with the rules described in the anti-discrimination Policy at the University of Wrocław;
  - 2) taking action to safeguard equal treatment and equal opportunities for the entire academic community;
  - 3) taking action to raise awareness about the principle of equal treatment, in particular in the form of meetings or training sessions for the academic community;
  - 4) taking action aimed at eliminating all forms of discrimination and unequal treatment at the UWr;
  - 5) supporting the academic community in the implementation of applicable anti-discrimination policies.

### **§ 2**

1. The members of the academic community who believe that they have been victims of discrimination, harassment or sexual harassment or have witnessed such events, may contact the Ombudsperson or the representative of dean/head of a non-departmental unit in order to obtain any necessary information. Also other persons establishing legal relations with the UWr may exercise this right to the extent directly related to the organisation and functioning of the UWr.
2. The information provided to the Ombudsperson or the representative of dean/head of non-departmental unit and the communication with them are confidential.
3. All members of the academic community are obliged to cooperate, provide support and answer the Ombudsperson's queries.
4. The Ombudsperson or the representative of the dean/head of a non-departmental unit is obliged to consider justified interests of all persons concerned
5. The Ombudsperson or the representative of the dean/head of the non-departmental unit can hold talks with the persons concerned, consult, mediate, identify the problem and present the methods for its resolution and clarify relevant circumstances of the case.
6. The Ombudsperson and representatives of the dean/head of the non-departmental units act impartially and treats each person and case objectively. In a particular case the Ombudsperson and representatives of the dean/head of the non-departmentals unit do not act on behalf of the UWr or an individual, but is the advocate of fair procedure. The Ombudsperson and representatives of the dean/head of the non-departmental units cannot benefit from solving a particular problem.
7. The Ombudsperson or the representative of the dean/head of a non-departmental unit cannot be a witness in formal complaint proceedings, if they provided legal counsel to a party of the proceedings.

8. The Ombudsperson examines procedural and institutional irregularities regarding discrimination, harassment and sexual harassment and/or identifies the sources of problems hindering the efficient functioning of the UWr.
9. The Ombudsperson provides the Rector with information and recommendations for necessary changes aimed at improving the UWr's performance regarding equal treatment and anti-discrimination in the institution.
10. The ombudsperson and representatives of the dean/head of the non-departmental units avoid situations where a conflict of interests may arise.
11. Ombudsperson and representatives of the dean/head of the non-departmental units cannot serve additional functions at the UWr which might affect their neutrality.

### § 3

1. The Dean appoints representative for equal treatment and anti discrimination for the term of office of the Dean.
2. The head of a non-departmental unit (all-university, interdepartmental, interuniversity) may appoint a representative for equal treatment and anti-discrimination for the term of office of the Rector.
3. The representative of the dean/head of a non-departmental unit for equal treatment and anti-discrimination shall have, within the relevant unit, the powers of the Ombudsperson for equal treatment and anti-discrimination at the University of Wrocław.
4. The Ombudsperson for Equal Treatment and Anti-Discrimination at the University of Wrocław may convene meetings of representatives of deans/heads of non-departmental units for equal treatment and anti-discrimination, hereinafter referred to as the meeting of representatives.
5. The meeting of representatives may express opinions on the matters referred to in § 1, section 2 by a simple majority, after hearing the opinions of all persons participating in the meeting.
6. The meeting of representatives for equal treatment and anti-discrimination may also be attended by persons invited by the Ombudsperson for equal treatment and anti-discrimination at the University of Wrocław.
7. The meeting of representatives may act by means of university remote communication.