

**INTERNAL NOTIFICATION PROCEDURE  
in force at the National Centre for Nuclear Research**

**§ 1**

**PRELIMINARY REMARKS**

1. This procedure (hereinafter: the Procedure) defines the rules and **procedure for internal reporting of violations of the law**, including those in force at the National Centre for Nuclear Research, internal regulations which have been established on the basis of universally applicable laws and remain in compliance with them, and **for follow-up actions**.
2. The procedure applies to the employer National Centre for Nuclear Research (hereinafter: NCBJ or Legal Entity).
3. An infringement is an act or omission that is unlawful or intended to circumvent the law.
4. A notification made pursuant to the Act of 14 June 2024 on the protection of whistleblowers (hereinafter: the Act) shall include violations of the law concerning:
  - 1) corruption;
  - 2) public procurement;
  - 3) financial services, products and markets;
  - 4) anti-money laundering and counter-terrorist financing;
  - 5) product safety and compliance;
  - 6) transport safety;
  - 7) environmental protection;
  - 8) radiological protection and nuclear safety;
  - 9) food and feed safety;
  - 10) animal health and welfare;
  - 11) public health;
  - 12) consumer protection;
  - 13) protection of privacy and personal data;
  - 14) security of information and communication networks and systems;
  - 15) financial interests of the State Treasury of the Republic of Poland, local government unit and the European Union;
  - 16) the internal market of the European Union, including public law principles of competition and state aid as well as corporate taxation;
  - 17) constitutional freedoms and human and civil rights occurring in the relations of an individual with public authorities and not related to the areas indicated above.

**§ 2**  
**DEFINITIONS**

Whenever the Procedure refers to:

1. **retaliatory action** - is understood to mean a direct or indirect action or omission in a work-related context which is caused by a report and which violates or is likely to violate the rights of the Whistleblower or causes, or is likely to cause, undue harm to the Whistleblower, including the unjustified initiation of proceedings against the Whistleblower.
2. **communication channel** - this is understood to mean technical and organisational solutions making it possible to make a notification.
3. **Commission** - it shall be understood as a group of persons involved in the investigation and follow-up work.
4. **contact person** - this is understood as the Head of the NCBJ Human Resources Department, as the person authorised to receive notifications, contact the Signaller and keep records related to the notification.
5. **the person concerned by the notification** - it is understood as the person indicated in the notification as the infringer or as the person with whom the infringer is associated.
6. **legal entity** - it shall be understood to mean the employer, which is the National Centre for Nuclear Research.
7. **whistleblower** - it is understood as a natural person who makes an internal notification of a violation of the law in a work-related context, regardless of his/her position, form of employment or cooperation, including on the basis of a civil law contract; the following are also considered to be signallers in accordance with the Act: entrepreneur, proxy, shareholder or partner, member of a body of a legal person or organisational unit without legal personality, person performing work under supervision and management of a contractor, subcontractor or supplier, trainee, volunteer, apprentice, officer, soldier.
8. **notification** - it shall be understood as the transmission of information to the Legal Entity on a violation of the law, made through a communication channel intended for this purpose.

**§ 3**  
**THE PROCESS FOR HANDLING INTERNAL NOTIFICATIONS**

1. Submission of an application triggers the application processing process, which includes the following stages:
  - 1) Stage I - Submission and preliminary recognition of the application,
  - 2) Stage II - Verification activities,
  - 3) Stage III - Follow-up activities,
  - 4) Stage IV - Completion of the process.
2. For the examination of the application, the Director shall appoint a Commission and determine its composition. The Commission should be composed of at least two persons, including the Contact Person, the Legal Adviser or the Data Protection Officer, as well as other persons with substantive competences necessary due to the specificity of a particular application. The final selection of the members and the composition of the Commission shall depend on the subject

matter, type and specificity of the notification. A model for the appointment of the Commission is enclosed as Attachment No. 1.

3. All persons involved in the processing of the application shall act on the basis of a written authorisation to carry out activities in relation to the application and to process personal data. These persons are obliged to keep confidential any information they have obtained during the application process. A model of the authorisation and the declaration of the obligation of secrecy integral with it is enclosed as Attachment 2.
4. The contact person and the members of the Commission shall act impartially and independently.
5. No person may be a member of the Commission who, according to the content of the notification, is in any way involved in the infringement that is the subject of the notification.
6. If justified by the facts described in the notification, specialists and independent consultants may be involved in the examination of the notification. Access to personal data by such persons shall be subject to the granting of authorisation to process the personal data or the conclusion of an agreement with them on the entrustment of the processing of such data. Such persons shall make a declaration binding them to secrecy, in accordance with paragraph 3 above.
7. A whistleblower shall be subject to the protection of the Act from the time of reporting, provided that he or she had reasonable grounds to believe that the information that is the subject of the report is true at the time of reporting or public disclosure and that it constitutes information of a violation of the law. Under the Act, a person who makes a report knowing that a violation of the law has not occurred is liable to a fine, restriction of liberty or imprisonment for up to 2 years.
8. In the event that it is established at any stage that the notification knowingly contains untruths or conceals the truth, the whistleblower may be held liable under the provisions of the Labour Code Act of 26 June 1974. Such behaviour may also be qualified as a grave breach of basic employment duties and as such result in termination of the employment contract without notice, due to the employee's fault. In relation to a person providing activities, services or goods or work, on the basis of a civil law contract, making a false declaration may result in termination of the contract and termination of cooperation.
9. A person who has suffered damage as a result of a knowingly false report made by the whistleblower has a claim for compensation or damages for infringement of personal interests against the whistleblower who made such a report.

#### **§ 4**

##### **STAGE I - SUBMISSION AND PRELIMINARY EXAMINATION OF AN APPLICATION**

1. Submissions may be made through the following communication channels:
  - a) **in writing to a mailbox** marked: 'NCBJ - notifications of infringements' located in Building 1, in the corridor on the first floor by the stairs, in a closed envelope marked: „VIOLATION REPORT”;
  - b) **in writing directly to the Contact Person**;

- c) **in electronic form via a dedicated email address [sygnalisci@ncbj.gov.pl](mailto:sygnalisci@ncbj.gov.pl)**, managed by the Contact Person, with the indication in the title of the email: 'breach notification'; the notification should be a hashed attachment to the email and the password to open the attachment should be provided to the Contact Person by any other means, e.g. in a separate envelope, by telephone;
  - d) **in writing by post, by registered mail through the postal operator**, in a double envelope; the outer envelope should be addressed by name to the Contact Person, the inner envelope should be marked 'report of infringement, confidential, personal' or an analogous one, preventing unauthorised persons from reading the content of the report.
- 2. The notification should contain a clear and as complete as possible description of the reported infringement, including the following information:
  - 1) the date and place where the violation of the law occurred or the date and place where information about the violation of the law was obtained,
  - 2) a description of the specific situation or circumstances giving rise to the possibility of the infringement,
  - 3) the persons affected by the notification,
  - 4) the persons affected and the damage caused by the violation of the right,
  - 5) witnesses to the violation of the law and any other evidence and information that may be helpful in the process of handling the notification,
  - 6) the method of feedback contact with the Whistleblower.
- 3. The contact person shall inform the Director of the notification as soon as possible and no later than the next working day after receipt, outlining the subject of the notification, the persons concerned and an initial assessment of the merits of the notification. The Director shall immediately appoint a Commission in accordance with § 3.2.
- 4. (3) The Commission may decide not to proceed with further verification of a notification where the notification is manifestly unfounded or where it is not possible to obtain from the Whistleblower the additional information necessary to verify the notification. Notifications going beyond the scope of the subject matter of the Procedure, anonymous notifications or notifications formulated verbally shall not be considered. Information on rejection of a notification is communicated to the Whistleblower within 7 days of its receipt.
- 5. (4) If the notification allows further verification and follow-up actions to be taken, the Whistleblower receives an acknowledgement from the Contact Person within 7 days of receiving the notification.
- 6. Either information on the rejection of the report or an acknowledgement of acceptance of the report is provided according to the method of contact indicated by the Whistleblower. If the Whistleblower has not indicated such a method, this information is not transmitted.

## § 5

### STAGE II - VERIFICATION ACTIVITIES

1. Stage II is conducted to assess in detail the veracity of the information contained in the notification, to identify the persons involved in the notification as well as the breach, the roles of these persons and the responsibility for the breach.

2. At Stage II, the Commission conducts verification activities, which - depending on the scope of the notification - may include, inter alia, verification of evidence provided by the whistleblower, collection of additional evidence by the Commission, hearing of witnesses and other activities necessary to establish the full factual and legal situation.
3. If the Commission determines that the notification is justified, it shall make recommendations for appropriate corrective or disciplinary action against the whistleblower and recommendations to eliminate and prevent identical or similar violations in the future.
4. Information on the verification actions taken and planned follow-up actions is communicated to the Whistleblower no later than 3 months after the acknowledgement of the notification, according to the method of contact indicated by the Whistleblower. If the Whistleblower has not indicated such a method, this information is not communicated.

## **§ 6**

### **STAGE III - FOLLOW-UP**

1. Stage III shall be conducted with a view to carrying out actions to counteract the infringement notified and to remedy the situation.
2. In particular, the Commission may make recommendations for the initiation of inspections or administrative proceedings, the filing of charges, taking action to recover funds, including through the courts.
3. Ordering, enforcing and verifying the implementation of corrective actions shall be the competence of the Director and persons designated by him.
4. At the end of Stage III, the Commission shall draw up a summary of the activities carried out.

## **§ 7**

### **STAGE IV - TERMINATION OF THE PROCESS**

1. Stage IV is to complete the steps to end the process of dealing with a notification, including the collection, recording and safeguarding of all information and data, including personal data.
2. In particular, this stage may include the completion of the infringement register, verification of the implementation of corrective actions, the backup of files or documents, the deletion of unnecessary or redundant data and archiving.
3. The notification, together with its attachments and the information on its rejection or a summary of the actions performed, shall be retained for a period of 3 years after the end of the calendar year in which the notification was rejected or the follow-up actions were completed, or after the proceedings initiated by these actions have been completed. The retention period of personal data may be longer only if such an obligation arises directly from generally applicable legislation.

## **§ 8**

### **NO RETALIATORY ACTION**

1. No retaliatory action or attempted or threatened retaliatory action may be taken against the Whistleblower, a person who assisted the Whistleblower in making the report and a person who is associated with the Whistleblower.
2. The Legal Entity has the burden of proving that the action taken that is indicated as retaliatory is not such an action.
3. Pursuant to the Act, a person who takes retaliatory action against the Whistleblower, a person who assisted the Whistleblower in making the notification or a person who is associated with the Whistleblower is subject to a fine, restriction of liberty or imprisonment for up to 2 years. If the perpetrator of the act referred to in paragraph 1 acts persistently, he or she is subject to imprisonment for up to 3 years.

## **§ 9**

### **PERSONAL DATA**

1. The purpose of maintaining confidentiality is to guarantee the sense of security of the Whistleblower and to minimise the risk of retaliation. A Whistleblower who has made a report and whose personal data has been unauthorisedly disclosed should immediately notify the Contact Person of the situation, and the Commission, in consultation with the Director, is then required to take action to protect the Whistleblower.
2. The identity of the Whistleblower, as well as all identifying information, shall not be disclosed to unauthorised persons, except with the express consent of the Whistleblower given in accordance with Attachment No. 3.
3. The identity of the Whistleblower, as well as other information enabling the Whistleblower to be identified, may be disclosed without the Whistleblower's consent only if such disclosure is a necessary and proportionate obligation under generally applicable law in the context of investigations conducted by national authorities.
4. The identity of the reported persons shall be subject to secrecy requirements to the same extent as the identity of the Whistleblower.
5. The Legal Entity shall process personal data to the extent necessary for the acceptance of the notification and follow-up. Personal data that are not relevant for the recognition of the notification shall not be collected and, if collected, shall be deleted. The deletion of such personal data shall take place within 14 days of the determination that it is not relevant to the case. The deletion of personal data in such a case shall take place according to the manner in which it was provided and depending on the circumstances.
6. The contents of the information clause for the Whistleblower and the subject of the notification are attached as Attachments 4 and 5 respectively.

## **§ 10**

### **REGISTER OF NOTIFICATIONS**

1. Each notification shall be registered in the Notification Register.
2. The Contact Person shall be responsible for the maintenance of the Notification Register.
3. The Register of Notifications may be maintained in electronic form.
4. The Register of Applications shall be kept confidential.
5. Personal data and other information in the Register of Notifications shall be retained for a period of 3 years after the end of the calendar year in which the follow-up actions have been completed or the proceedings initiated by those actions have been terminated.

## **§ 11**

### **FINAL PROVISIONS**

1. External notifications may be made to the Ombudsman or public bodies and, where appropriate, to institutions, bodies or organisational units of the European Union under the terms of the Act.
2. The validity of the Procedure shall commence on 25 September 2024.
3. The Procedure has been established in accordance with Article 24(3)(1) and (4) of the Act, after consultation with the trade union organisations operating in the Legal Entity.
4. The attachments to the Procedure are:
  - 1) Attachment No. 1 - template for the appointment of the Commission,
  - 2) Attachment No. 2 - template of authorisation to perform activities in connection with the notification of a breach of the law together with a statement obliging to maintain secrecy,
  - 3) Attachment No. 3 - specimen consent of the Whistleblower for disclosure of identity,
  - 4) Attachment No. 4 - information clause for Whistleblowers,
  - 5) Attachment No. 4 - information clause for persons affected by the notification.