

Rules for the Avoidance of Conflicts of Interest in Procedures for Granting Associate Professorship and Procedures for the Appointment as Professor

Article 1

Introductory provisions

1. The aim of this Vice-Rector's instruction is to clarify the rules for procedures for granting associate professorship and procedures for appointment as professor regulated in the Code of Procedure for Granting Associate Professorship and Full Professorship at the University of Hradec Králové (hereinafter referred to as the Code) and also in the Vice-Rector's instruction on internal rules for these proceedings, with regard to the issue of possible conflicts of interest.
2. This instruction establishes basic principles that should contribute to the prevention of potential conflicts of interest among the bodies and persons involved in the procedures for granting associate professorship and procedures for appointment as professor, including the definition of the powers, responsibilities and procedures in the event of a conflict of interest of individual bodies, in particular the Rector, Vice-Rectors, Deans, Vice-Deans, members of committees and other persons involved in both procedures.

Article 2

Procedure for granting associate professorship

1. In order to avoid conflicts of interest, it is recommended that if a Dean intends to submit a proposal to initiate his/her procedure for granting associate professorship (see Article 3(1) of the Code), such procedure should take place before a Research Board other than the one he/she has appointed and chairs.
2. If the recommendation under paragraph 1 is not applied, then it is not possible for the Dean to chair such a meeting of the Associate Professorship Committee and he/she must be represented. He/she neither may participate in any decision-making on matters concerning his/her procedure for granting associate professorship throughout the procedure (see also Article 3, paragraph 7 of the Code).

3. In order to avoid conflicts of interest, it is recommended that Vice-Deans of the relevant UHK faculty do not submit a proposal to initiate their procedure for granting associate professorship at the respective faculty (see Article 3(1) of the Code).
4. In the event that the recommendation under paragraph 3 is not applied, the Vice-Deans of the relevant UHK faculty may not participate in any decision-making on matters concerning their procedure for granting associate professorship at that Faculty (see Article 3(7) of the Code). The restriction on the possibility of taking decisions on matters relating the procedure for granting associate professorship applies to any member of the Faculty Research Board who submits a proposal to initiate the procedure for granting associate professorship at the relevant faculty of the UHK.
5. The recommendations under paragraphs 1 and 3 do not apply in the case of such associate professorship field that is not accredited at another higher education institution. In the event of a disputed assessment of this fact, the UHK Research Board shall make a decision after submission by the Rector.
6. The following persons may not be a chairman, member of the Associate Professorship Committee or reviewer of a dissertation:
 - The immediate superior or immediate subordinate of the associate professorship candidate,
 - Co-author of a work or, in the case of a set of published scientific works, co-author of part of the associate professorship candidate's work in the last five years,
 - Co-investigator or team member of the associate professorship candidate's grants and projects in the last five years;
 - A person close to¹ the associate professorship candidate;
 - Any other person who declares a potential conflict of interest.

Article 3

Proceedings for appointment as professor

1. In order to avoid conflicts of interest, it is recommended that if a Dean or Rector is considering initiating his/her own procedure for appointment as professor (see Article 5(1) of the Code), this procedure should take place before a Research Board other than the one he/she has appointed and chairs.

¹ The definition of a close person is contained in Section 22 of Act No.89/2012 Sb., the Civil Code: 'A close person is a relative in the direct line, a sibling and a spouse or a partner under another law regulating registered partnerships (hereinafter referred to as the Partner); other persons in a family or similar relationship shall be deemed to be close to each other if the harm suffered by one of them would reasonably be perceived by the other as his or her own harm. Persons who are related by affinity or living together permanently shall be deemed to be close to one another.'

2. In the event that the recommendation under paragraph 1 is not applied, then it is not possible for the Dean or Rector to chair such a meeting of the relevant Research Board and must be represented. He/she may neither participate in any decision on matters concerning his/her proceedings throughout the procedure for appointment as professor (see also Article 5, paragraph 8 of the Code).
3. In order to avoid conflicts of interest, it is recommended that Vice-Deans of the relevant UHK faculty and Vice-Rectors of the UHK do not submit a proposal for the commencement of their appointment as professor at the relevant UHK faculty.
4. If the recommendation under paragraph 3 is not applied, the Vice-Deans of the relevant UHK faculty and the UHK Vice-Rectors may not participate in any decision on matters concerning their proceedings for appointment as professor (see also Article 5(8) of the Code). The restriction on the possibility of taking decisions on matters relating to the procedure for the appointment as professor applies to any member of the faculty Research Board or member of the UHK Research Board who submits a proposal to initiate the procedure for the appointment as professor at the relevant UHK faculty.
5. The recommendations under paragraphs 1 and 3 do not apply in the case of such professorship field that is not accredited at another higher education institution. In the event of a disputed assessment of this fact, the UHK Research Board decides upon submission by the Rector or the Dean of the faculty at which the field in question is accredited, as far as the procedure for appointment as professor is concerned.
6. The following persons may not be a chairman or member of the Committee:
 - The immediate superior or immediate subordinate of the candidate for appointment as professor;
 - Co-author of a work or, in the case of a set of published scientific works, co-author of part of the work of the candidate for appointment as professor in the last five years;
 - Co-investigator or team member of grants and projects of the candidate for appointment as professor in the last five years;
 - A person close to the candidate for appointment as professor;
 - Any other person who declares a potential conflict of interest.
7. A professor providing a supporting written opinion on a candidate's proposal may not be:
 - The immediate superior or immediate subordinate of the candidate for appointment as professor;
 - A person close to the candidate for appointment as professor;
 - Any other person who declares a potential conflict of interest.
8. It is recommended that the committee appointed to consider the proposal for appointment as professor of the Dean of a faculty that is accredited for that field of appointment be approved by the Rector.
9. It is recommended that the procedure for appointment the Dean as professor be initiated only upon a proposal by the candidate supported by at least two written opinions of professors in the same or a related field who are not members of the

academic community of the UHK, or on the basis of a proposal by the Rector submitted to the Research Board of the faculty that has accreditation for the field of appointment or to the UHK Research Board if the university has accreditation for the proposed field (see Article 5(1) of the Code).

10. In the case of the procedure for appointment the Rector as professor, it is recommended that it be initiated only on the basis of a proposal by the candidate supported by at least two written opinions of professors in the same or a related field who are not members of the academic community of the UHK, or on the basis of a proposal by the Dean submitted to the Research Board of the faculty that has accreditation for the field of appointment or to the Research Board of the UHK if the university has accreditation for the proposed field (see Article 5(1) of the Code).
11. In the case of the procedure for appointment as professor under paragraphs 9 and 10, this procedure may also be initiated by the faculty Research Board or the UHK Research Board on their own initiative.

Article 4

Common provisions

1. The candidate is obliged to alert the Dean, the chair of the Committee or the Rector to the possibility of a conflict of interest immediately after learning about the composition of the Committee or before the vote of the relevant Research Board.
2. A person who feels that he or she has a conflict of interest is obliged to immediately inform the Dean, the Chair of the Committee or the Rector of this fact. In the event that the Dean, the chair of the committee or the Rector finds that the person has a conflict of interest, they shall ensure that the place of such person is taken by a person who cannot be doubted to have a conflict of interest.
3. In the event of ambiguity in the assessment of a conflict of interest at the faculty level, the Dean resolves the situation; in the event of a possible conflict of interest of the Dean or an assessment at the UHK Governance level, the final assessment is the responsibility of the Rector.

Article 4

Final provisions

1. The provisions of Article 2(2) and (4) and Article 3(2) and (4) of this Vice-Rector's Instruction shall also apply to those procedures for granting associate professorship and procedures for appointment as professor that were initiated on the effective date of this Vice-Rector's instruction but have not yet been completed. The other provisions shall apply to procedures for granting associate professorship and procedures for appointment of professor initiated after the date of entry into force of this Vice-Rector's Instruction.

2. This instruction of the Vice- Rector's shall come into force and effect on the date of its signing.

In Hradec Králové on 13 February 2023

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Vice-Rector for Science and Creative Activities