

INTERNAL REGULATION No. 11/2020

DIRECTIVE OF THE SLOVAK ACCREDITATION AGENCY FOR HIGHER EDUCATION ON THE HANDLING OF COMPLAINTS

**as amended
on 4 September 2025**

Bratislava, 4 September 2025

DIRECTIVE

OF THE SLOVAK ACCREDITATION AGENCY FOR HIGHER EDUCATION

ON THE HANDLING OF COMPLAINTS

The Executive Board of the Slovak Accreditation Agency for Higher Education (hereinafter referred to as the “Executive Board” or “EB SAAHE”) pursuant to Article 9 par. 1 letter i) of the Statute of the Slovak Accreditation Agency for Higher Education (hereinafter referred to as “SAAHE” or the “Agency”) approved on 22 October 2020 this internal regulation of the Agency – *Directive of the Slovak Accreditation Agency for Higher Education on the Handling of Complaints* (hereinafter referred to as the “directive”), drawn up in accordance with Act No. 9/2010 Coll. on complaints (hereinafter referred to as the “Act”). The amendments to the directive were approved by the Executive Board on 31 August 2023 and on 4 September 2025, with effect from the date of their approval.

Article 1

Subject matter

This directive regulates the procedure for submitting, processing, and monitoring the handling of complaints submitted to the Agency under the Act as an entity entrusted by law with deciding on the rights, legally protected interests or obligations of other persons.

Article 2

Basic terms

1. A *complaint* is a submission by a person (hereinafter referred to as the “complainant”) who
 - a) seeks protection of his/her rights or interests protected by law, which he/she believes have been violated by the Agency’s action or inaction,
 - b) points out specific deficiencies, in particular violations of legal regulations, the elimination of which is within the competence of the Agency.Submission is evaluated based on its content.
2. *Handling a complaint* is the receiving, recording, investigating and handling the complaint.
3. *Investigation of a complaint* is one of the forms of oversight activity of the Agency, which determines the actual state of the matter and its compliance or conflict with generally binding legal regulations.
4. *Handling of a complaint* is the return, postponement of the complaint, notification of the result of the investigation of the complaint, or notification of the result of checking the correctness of the handling of the previous complaint.
5. Complaints that have the character of inquiries, statements, opinions, requests, suggestions, proposals, or other submissions specified in the § 4 par. 1 and par. 2 of the Act are not considered to be complaints. Complaints for these reasons do not include, in particular,
 - a) complaints from students regarding biased evaluation by higher education institution teachers,

- b) initiatives, applications and proposals from individuals and legal entities regarding the review of the internal system of the higher education institution and the monitoring of compliance with the standards for the internal quality assurance system of higher education and the standards for study programmes,
- c) initiatives, applications and proposals to review the proper handling of complaints by the relevant higher education institutions, decisions issued by higher education institutions, as well as other action and inaction of higher education institutions, including those of its teachers,
- d) submissions requesting the resolution of disputes between a teacher, student or another person and a higher education institution,
- e) the above-mentioned submissions sent to the Agency repeatedly without providing any new information.

If the Agency determines that the submission received and designated by the complainant as a complaint does not constitute a complaint as defined above, the Agency, unless otherwise provided by law, sets the submission aside and notifies the complainant in writing within 15 business of receipt, stating the reason.

- 6. *Repeated complaint* is a complaint filed by the same complainant regarding the same matter, if it does not contain any new facts.
- 7. *Subsequent repeated complaint* is a complaint filed by the same complainant following a repeated complaint regarding the same matter, if it does not contain any new facts.
- 8. *Complaint against the handling of a complaint* is a complaint in which the complainant expresses dissatisfaction with the handling of their previous complaint. Under the law, this complaint is considered to be a new complaint against the Agency's handling of a complaint.

Article 3

Basic principles for handling complaints

- 1. When investigating a complaint, it is based on its subject, regardless of the complainant and the person against whom the complaint is directed. If, according to the content, only part of the submission is a complaint, it will be investigated only to that extent. If the complaint consists of several separate parts, each of them is investigated. If the complaint or part of it cannot be investigated, e.g. due to failure to provide documents, other written documents, statements, information, or data necessary to handle the complaint, as well as the failure of other public administration bodies or other persons with their consent to provide the necessary cooperation within ten working days of receiving the request, the Agency will record this fact in the minutes of the complaint investigation and notify the complainant.
- 2. If the complaint is illegible, unclear, or does not clearly indicate against whom it is directed, what deficiencies it points out and what the complainant is seeking, or if the information necessary for its investigation is missing and the complainant has not supplemented it within 10 working days of receiving the Agency's written request despite the Agency's instruction regarding the possibility of postponing the complaint, the Agency will postpone the complaint in accordance with Article 4 par. 6 letter h) of this directive. If, in justified cases, the complainant demonstrates that the deadline for providing cooperation is insufficient, the complainant may, prior to its expiration, request the Agency in writing to set a new deadline. The Agency may set a new deadline for the complainant to provide cooperation. The deadline for

resolving the complaint does not run from the time the request for cooperation is sent until such cooperation is provided.

3. The filing of a complaint cannot serve as grounds or reason for taking any action that would cause the complainant any harm.
4. Information from documentation related to complaint-handling that is protected or to which access is restricted under a special regulation is not disclosed.
5. Everyone is obliged to maintain confidentiality regarding facts learned during the handling of a complaint. The person in whose interest the obligation exists may exempt him or her from the obligation in writing.
6. The Agency is obliged to keep the complainant's identity confidential if the complainant requests so. The Agency may keep the complainant's identity confidential if doing so is in the interest of handling the complaint. When investigating such a complaint, copies of documents are used without any information that would identify the complainant. Anyone who knows the complainant's identity is obliged to keep it confidential.
7. If the complainant requests that his or her identity be kept confidential but the subject of the complaint does not allow for its investigation without providing some of his or her personal data, the Agency will notify the complainant immediately. At the same time, it will instruct him or her that the Agency will continue handling the complaint only if the complainant gives written consent to provide the necessary information about his or her person within the specified period, otherwise, the complaint will be postponed.
8. The complaint must not be assigned for investigation and processing to the person against whom it is directed, nor to an employee in his or her management capacity. The following are excluded from the investigation and handling of the complaint
 - a) an employee of the Agency, if he or she participated in the activity which is the subject of the complaint; or
 - b) the person whose impartiality may be in doubt due to his or her relationship with the complainant, his or her representative, the Agency's employee against whom the complaint is directed, or the subject matter of the complaint.

Article 4

Receiving, forwarding and postponing of complaints

1. If the Agency's office determines that a submission received by the Agency is a complaint, or believes that the submission may be a complaint, it will immediately forward it to the person responsible for handling complaints in accordance with the Agency's internal regulations or the employer's instructions.
2. The complaint must be in writing and can be submitted in paper form or electronic form. A complaint submitted in electronic form must be authorised by the complainant according to a special regulation¹.
3. The complaint must contain the name, surname and residence of the complainant. If the complaint is filed by a legal entity, it must include its name and registered office, the name and surname of the person authorised to act on its behalf. A written complaint must contain the complainant's handwritten signature. If it is possible to

¹ § 23 par. 1 of Act No. 305/2013 Coll. on the electronic form of the performance of powers of public administrative bodies and on the amendment to certain acts (the e-Government Act), as amended by Act No. 273/2015 Coll.

- deliver documents to the complainant pursuant to this Act in electronic form, the complaint may also contain the complainant's address for such delivery.
4. If the complainant comes to the Agency in person to file a complaint that he or she does not have in writing, the Agency will accept the complainant and allow him or her to make a complaint in paper form. If a person comes to the Agency whose health condition prevents them from making a written complaint themselves, an employee of the Agency will make it for that person.
 5. The complaint received, the processing which the Agency is not responsible for, is forwarded to the public administration body responsible for handling it within ten working days at the latest, and at the same time notify the complainant thereof. The complaint, in which the complainant has requested the confidentiality of his or her identity, and the handling which the Agency is not responsible for, is returned to the complainant within ten working days from its delivery at the latest, stating the reason.
 6. The Agency will postpone the complaint if:
 - a) it does not contain the required information pursuant to Article 4 par. 2 or Article 4 par. 3 of this directive,
 - b) it finds that a court, a public prosecutor's office, other law enforcement authorities or another public administration body has acted or is acting in the subject matter of the complaint,
 - c) it finds that the complaint concerns a person other than the complainant and is not accompanied by the power of attorney with a certified signature,
 - d) it finds that more than 5 years have elapsed from the date of the event to which the complaint relates as of the date of its receipt,
 - e) if it is a further repeated complaint under Article 2 par. 7 of this directive, in which case the procedure under Article 6 par. 8 of this directive applies,
 - f) it is a further complaint against the handling of a complaint, in which case the procedure under Article 6 par. 9 of this directive applies,
 - g) it has been sent to the Agency for information,
 - h) the complainant failed to cooperate pursuant to Article 3 par. 2 of this directive,
 - i) the complainant did not grant consent pursuant to Article 3 par. 7 of this directive,
 - j) the complainant withdraws the complaint in writing prior to its resolution, or if the complainant notifies the Agency in writing prior to the resolution of the complaint that he or she no longer insists on its resolution.
 7. The Agency notifies the complainant in writing of the dismissal of the complaint and the grounds for such dismissal pursuant to Article 4 par. 6 letters b), c), d) and f) of this directive within the period specified in Article 6 par. 6 of this directive.

Article 5

Recording of complaints

1. The Agency keeps a central register of complaints (hereinafter referred to as the "register") separately from the register of other documents. For this purpose, it uses an information system that, in accordance with the Agency's Registry Procedure, is used to manage records and files. The register mainly contains the following information:
 - a) date of delivery and date of entry of a complaint, repeated complaint and further repeated complaint,

- b) name, surname, and residence address of the complainant; if the complaint is filed by a legal entity, the records must contain its name and registered office, the name and surname of the person authorised to act on its behalf,
 - c) the subject of the complaint,
 - d) the date the complaint was assigned for investigation and to whom it was assigned,
 - e) the result of the investigation of the complaint,
 - f) measures taken and deadlines for their implementation,
 - g) date of disposal of the complaint, repeated complaint, or the postponement of the next repeated complaint,
 - h) the result of the review of a previous complaint or the investigation of a repeated complaint,
 - i) the date of referral of the complaint to the authority responsible for handling it,
 - j) the reasons for which the Agency postponed the complaint, in particular pursuant to Article 4 par. 6 of this directive,
 - k) note.
2. The records are kept by the Agency's office.
 3. A repeated complaint and another repeated complaint are registered in the year in which it was received. The note includes the number of the complaint to which it is related.

Article 6

Investigation of a complaint

1. The Chair of the Executive Board of the Agency is responsible for investigating the complaint. If the complaint is made against the activity, decision of the Chair or a member of the Executive Board, the Auditor is responsible for handling the complaint. Other persons may also be involved in the handling and investigation of complaints if such activities fall within the scope of their job duties, the Agency's internal regulations or the employer's instructions, if this is contrary to Article 3 par. 8 of this directive.
2. The investigation of a complaint is based on the principles set out in Article 3 of this directive, in particular the principles under paragraph 1 of the aforementioned Article, i.e. the principle of protection of the complainant, under which the Agency, when investigating a complaint, takes into account the subject matter of the complaint, not the complainant or, where applicable, the person against whom the complaint is directed, the principle of cooperation between public authorities and other persons with their consent, as well as the principle under paragraph 2 of the aforementioned Article, i.e. based on the principle of cooperation by the complainant, under which the Agency is authorised, to the extent necessary, to request in writing that the complainant cooperate, specifying the manner in which such cooperation is to be provided.
3. The Agency will investigate only those parts of the complaint for which it is competent, the remaining parts of the complaint will be forwarded by the Agency to the public administration body competent to handle them pursuant to Article 4 par. 5 of this directive. The Agency does not investigate parts of the complaint that do not constitute a complaint, it will notify the complainant of this in the notification of the outcome of the investigation, stating the reasons for not investigating those parts.

4. The complaint is investigated by discussing the minutes of the complaint investigation. If it cannot be negotiated, the complaint is investigated by delivering one copy of the complaint investigation minutes to the Agency.
5. The Agency will immediately notify the person against whom the complaint is directed of its contents, to an extent and at a time that will not impede the investigation. At the same time, it will allow that person to comment on the complaint, submit documents, records, information and data necessary for the handling of the complaint.
6. The complaint is processed within 60 working days. If the complaint is difficult to investigate, the Chair of the Executive Board may extend the deadline by 30 working days before its expiration, notifying the Agency's office to immediately notify the complainant in writing of the extension of the deadline, stating the reason. The deadline for processing the complaint begins on the first working day following the day of its delivery to the Agency.
7. The Agency's bodies or their members, the members of the Agency's expert commissions/review panels and the Agency's employees are obliged to provide the person handling the complaint with documents, other documents, statements, information, data necessary for processing the complaint, as well as any other necessary cooperation.
8. The provisions of § 21 of the Act apply to the handling of a repeated complaint pursuant to Article 2 par. 6 of this directive, and the Agency will handle it within the time limit referred to in Article 6 par. 6 of this directive. The Agency will verify the correctness of the handling of the previous complaint and will prepare a record thereof in accordance with Article 6 par. 10 and 11 of this directive. If the previous complaint was handled correctly, the Agency will notify the complainant of this fact, providing justification and advising that any further repeated complaints will be dismissed. If a review of the handling of the previous complaint reveals that it was not handled correctly, the repeated complaint will be investigated and resolved. A repeated complaint will be investigated by the persons referred to in Article 6 par. 1 of this directive in the same manner as the previous complaint. Any further repeated complaint pursuant to Article 2 par. 7 of this directive will be dismissed pursuant to Article 4 par. 6 letter e) of this directive, and the Agency will not notify the complainant thereof.
9. The provisions of § 22 of the Act apply to the handling of a complaint against the handling of complaints pursuant to Article 2 par. 8 of this directive; however, a complaint against the handling of a complaint is not considered a repeated complaint and, unless otherwise provided by law, is handled by the Chair of the Executive Board of the Agency within the time limit pursuant to Article 6 par. 6 of this directive. Any further complaints against the handling of the complaint will be dismissed pursuant to Article 4 par. 6 letter f) of this directive.
10. The Agency will draw up minutes of the investigation of the complaint (hereinafter referred to as "minutes"), which include in particular:
 - a) the designation of the Agency;
 - b) the subject matter of the complaint;
 - c) the period during which the complaint is being handled;
 - d) proven findings;
 - e) the date of preparation of minutes;
 - f) name, surname and signature of the person handling the complaint;
 - g) name, surname and signature of the Chair of the Executive Board of the Agency;

- h) in the event that deficiencies are identified, determining measures to remedy them, including the causes of their occurrence, identifying the persons responsible for remedying them, and setting a reasonable deadline for their remedy, or, if the person investigating the complaint is not the Chair of the Executive Board and it is not possible to specify them directly in the minutes, the obligation of the Chair of the Executive is to determine the above-mentioned measures, responsible persons and deadlines;
 - i) the Agency's office's obligation to notify the complainant of the measures taken;
 - j) a receipt confirming the delivery and receipt of documents;
 - k) other required information, if the obligation to provide such information is required by law.
11. If the Chair of the Executive Board refuses to review the minutes, to fulfill the obligations arising from Article 6 par. 10 letter h) of this directive, or refuses to sign the minutes, the person investigating the complaint will record these facts in the minutes.
12. The complaint is dealt with by sending a written notification of the outcome of its investigation to the complainant. The notification must contain justification of the result of the investigation of the complaint, which is based on the minutes. The notification will state whether the complaint is justified or unfounded. If the complaint has several parts, the notification of the outcome of the investigation of the complaint contains the result of the investigation of each of them. A complaint consisting of several parts is evaluated as justified if at least one of its parts is justified. If the complaint is justified, the notice will state that the obligations pursuant to Article 6 par. 10 letter h) of this directive.

Article 7

Common, Repeal and Final Provisions

1. The costs of handling the complaint incurred by the complainant shall be borne by the complainant.
2. The directive is binding on all employees, members of review panels, members of SAAHE bodies and cooperating persons.
3. Legal relationships not governed by this are governed mutatis mutandis by the provisions of the law, relevant generally binding legal regulations, and the Agency's internal regulations.
4. If some provisions of this directive become invalid or ineffective, this does not affect the validity and effectiveness of other parts of the directive.
5. The directive and its amendments are approved by the Executive Board.
6. This directive, as amended, enters into force on the date of its approval by the Executive Board, i.e. on 4 September 2025.

Bratislava, 4 September 2025

prof. Ing. Robert Redhammer, PhD.
Chair of the Executive Board