

**Rules for accepting and processing complaints and requests
at Zachęta – the National Gallery of Art in Warsaw**

§1.

1. These Rules specify the principles for filing and then accepting and processing complaints and requests at Zachęta – the National Gallery of Art in Warsaw, hereinafter referred to as “Zachęta”.

§2.

1. A complaint may pertain to, in particular: neglect or the inadequate performance of tasks, or the protracted or bureaucratic handling of matters by Zachęta employees or other individuals performing tasks on behalf of Zachęta.
2. A request may pertain to, in particular: matters related to organizational improvements, enhanced compliance with law and order, work improvements, malpractice prevention, and better performance of the tasks assigned.
3. The content of the submission determines whether it is a complaint or a request.
4. Complaints or requests concerning the Director of Zachęta shall be forwarded to the Minister of Culture and National Heritage along with a cover letter describing the specific issue and including explanations from the Director, within 7 days of receipt of the complaint or request.
5. Complaints and requests concerning the employees or contractors of Zachęta shall be processed by the Director of Zachęta, and in the event of their absence, Deputy Director or the head of the department of the employee to whom the complaint or request pertains.
6. For complaints or requests regarding matters other than those listed in the section above, the person responsible for processing the complaint or request shall be specified by the Director.
7. After an investigation, the person referred to in section (6) above shall prepare a draft response to the complaint or request, and shall submit it for the Director’s approval. If the Director’s opinion is favourable, the person responsible for processing the complaint or request shall forward the response for the Director to sign, and then shall have it sent by registered mail or by email. Copies of responses to complaints and requests shall be kept at the Secretariat.

§3

1. A complaint or request may be filed with Zachęta in writing, by email, as well as verbally, to be recorded in the minutes (Appendix No. 1) and signed by the person submitting the complaint or request and by the employee of Zachęta receiving the submission.
2. The minutes referred to in section (1) above shall include the date when the complaint or request was received, the first name and surname, and the address of the person making the submission, along with a concise description of the matter. Upon request from the person making the submission, the employee receiving the complaint or request shall confirm that the complaint or request has been submitted.
3. Complaints and requests may be filed in writing: by post or in person, verbally in line with sections (1) and (2) above, at the Secretariat of Zachęta in Warsaw, address: plac Stanisława Małachowskiego 3, 00-916 Warsaw, Monday to Friday between 9 AM and 5 PM, or by email at office@zacheta.art.pl.
4. Complaints and requests may be submitted on a person’s own behalf or on behalf of another individual upon their written consent.
5. All complaints and requests shall be registered in the register of complaints and requests (Appendix

No. 2) maintained by an employee of the Secretariat, and then forwarded by the Director for processing as directed, with a determination of the time limit for its processing.

6. Any organizational unit at Zachęta that receives a complaint or request shall immediately forward it to the Secretariat so that it can be registered and forwarded accordingly.

§4

1. Complaints and requests without the first name, surname or address of the person making the submission (anonymous complaints) shall be left unprocessed, unless processing them is justified by important social interest or they are submitted in line with the Whistleblower Protection Act as referred to in §7 below.
2. If the wording of the complaint or request does not allow for properly determining its subject, the person making the submission shall be called upon to provide an explanation or supplementary information within 7 days from receiving the request to do so, with an instruction that failure to comply shall result in the complaint or request being left unprocessed.

§5

1. The complaint or request should be processed no later than within one month, with two months from the date of receipt allowed for particularly complex matters.
2. If the matter has not been processed within the time limit set out in section (1), the person who has made the complaint or request shall be informed of this fact in writing, with the reason for the delay mentioned together with the new time limit in which the matter will be settled.
3. Complaints and requests shall be processed in the order in which they are received and depending on how urgent they are.
4. The primary form for resolving the matter shall be in writing. If the interest of the party dictates otherwise, and there are no legal obstacles, this may be changed to forms other than writing. The content and significant rationale behind this manner of settling the matter should be recorded in the documentation in the form of minutes.
5. Before the complaint or request is settled, all circumstances of the case should be considered.
6. General oversight over complaints and requests shall be exercised by the Director of Zachęta.
7. Activities that fall within the scope of ongoing oversight over the accuracy of the reception and processing of complaints and requests shall be the responsibility of a designated employee at the Secretariat.
8. If Zachęta is not the competent institution for processing a complaint or request, the submission shall be forwarded to the relevant authority immediately, but no later than within 14 days from its receipt, with the person making the submission notified of this fact or informed about the competent body with which they should file the submission.
9. On a yearly basis, the Director shall analyse and evaluate how complaints and requests are received, processed, and settled, and shall recommend measures aimed at eliminating the root causes that give rise to the complaints and requests, as well as at streamlining the work (Appendix No. 3).

§6

1. Zachęta – the National Gallery of Art in Warsaw shall protect personal data in line with the provisions of Regulation (EU) No. 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR) and other applicable national laws.
2. The Data Controller for the personal data of persons submitting complaints and requests shall be Zachęta – the National Gallery of Art in Warsaw, with its registered office in Warsaw, plac Stanisława Małachowskiego 3, 00-916 Warsaw.

3. Personal data are processed for the purpose of receiving and processing complaints and requests in line with the law, as well as on the basis of the legitimate interest of the Controller.
4. The provision of personal data is voluntary, but failure to provide them may make it impossible for the complaint or request to be processed.
5. Data subjects shall have the right to access their data, rectify them, request for their processing to be restricted, object to their processing, and, in justified cases, request that the data be deleted.
6. All requests concerning the processing of personal data shall be addressed to the Data Protection Officer; at the Zachęta – the National Gallery of Art, that role is performed by Paweł Mościcki. Contact: iodo@zacheta.art.pl or in writing to the registered address of the Data Controller.
7. Personal data may be shared with eligible authorities and entities that cooperate with Zachęta within the scope necessary for the purposes for which they are processed.
8. Personal data shall be stored for the period specified by law, in particular in the laws on the archiving of documentation.
9. Should a data subject deem that personal data are processed in a way that breaches the provisions of the GDPR, the data subject shall have the right to submit a complaint to the President of the Personal Data Protection Office.

§7

1. Zachęta – the National Gallery of Art in Warsaw ensures that whistleblowers may report irregularities pursuant to the provisions of the Whistleblower Protection Act and the relevant EU regulations.
2. Reported irregularities may pertain to, *inter alia*, breaches of law, organizational irregularities, or situations that violate professional ethics.
3. Zachęta shall ensure confidentiality and the protection of the whistleblowers' identify, and shall not undertake retaliatory measures against them.
4. Reports may be filed in writing, by email or verbally, in line with the procedure specified by Zachęta.
5. The person making a report may obtain information on actions taken following the report, unless this would breach applicable laws.
6. The procedure for reporting regularities and the protection of whistleblowers are stipulated in a separate document available in the registered office of Zachęta as well as on its website at <https://zacheta.art.pl/pl/sygnalisci>.

§8

1. Matters not covered by these Rules shall be governed by applicable laws, and in particular by the Code of Administrative Procedure and the Regulation of the Council of Ministers of 8 January 2002 on the organization of receiving and considering complaints and requests.
2. These Rules enter into force on

**Register of the processing of complaints and requests
at Zachęta – the National Gallery of Art in Warsaw in**

Processed in the reporting period			How the matter was resolved within Zachęta			
Within Zachęta	Forwarded to another competent institution	Total	Positive	Negative	Other	Left unprocessed

Conclusions:

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signature of the Director