



# CODE OF ETHICS AND CONDUCT OF THE UNIVERSITY OF UDINE



The University of Udine academic community is conscious of the role that academic institutions play in society and believes that all individuals belonging to the same community or to the University as a whole must act in an ethical and responsible manner.

This principle is particularly important in relation to the University's core activities - research, teaching and study - which must be conducted in a spirit of freedom, understood as independence from any prejudice or ideological bias. Through the adoption of this principle, the University is able to fulfil its fundamental role as a centre for the development of culture, the cornerstone of an open and democratic society, as well as a factor for the moral, social and economic development of society, particularly in the area where the University is primarily based.

The University of Udine therefore recognises the values expressed in the Italian Constitution in relation to the development of humanistic and scientific research (art. 9), freedom of teaching (art. 33) and the right to study (art. 34), as well as the principles expressed in the *Magna Charta Universitatum*, in international conventions, in the acts of the European Union and in the Preamble of the Statute of this University.

In particular, the University of Udine acknowledges the principles and values set out in the European Charter for Researchers and in the Code of Conduct for the Recruitment of Researchers referred to in the Commission Recommendation of 11 March 2005 "on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers", and promotes their full implementation in all policies and actions implemented by the University and thereby the whole academic community.

The University of Udine is a community of teaching staff, researchers, technical-administrative staff and students who, despite their different roles and functions, have equal dignity. Thus, all those who make up this community, in carrying out their roles both individually and in collegiate bodies, must respect, promote and act in accordance with the values underlying the principle of responsibility, of which the following aspects are highlighted:

- 1) Respect for equality and human dignity;
- 2) Defence of individual freedom and rights, acknowledging the sensitive role the University plays in serving students and society;
- 3) Rejection of all forms of unfair discrimination and recognition of the value of individual and cultural diversity;
- 4) Honesty, integrity and professionalism;
- 5) Impartiality, fairness, transparency and loyal cooperation;
- 6) Promotion of individual and collective awareness through study, scientific research and dissemination of knowledge.



## Article 1 - COMPOSITION OF THE CODE

1. This Code consists of Section I, the Code of Ethics, Section II, the Code of Conduct, and Section III, the Final Provisions.

#### Article 2 - DEFINITIONS

- 1. For the purposes of this Code, the following definitions shall apply:
- University: the University of Udine;
- Code: this document, which contains the Code of Ethics (Section I) and the Code of Conduct (Section II);
- Italian Code of Conduct: the Regulation approved by Italian Presidential Decree no. 62 of 16 April 2013, as amended, on the code of conduct for public employees, pursuant to Article 54 of Italian Legislative Decree no. 165 of 30 March 2001;
- **Head of Corruption Prevention**: the manager appointed pursuant to Article 1, paragraph 7 of Law no. 190 of 2012:
- Staff governed by public law: the staff referred to in Article 3, paragraph 2 of Italian Legislative Decree no. 165 of 30 September 2001 (lecturers and researchers);
- Employee(s): employees with permanent and fixed-term employment contracts, technical and administrative staff, including linguistic collaborators, technicians pursuant to art. 24 bis of Law 240/2010 and managers of the University of Udine;
- Manager: the Director General and all employees with managerial status, including holders of appointments pursuant to Article 19, paragraph 6, of Italian Legislative Decree no. 165 of 30 September 2001;
- Head of Department: the manager in charge of the department and directly responsible for employees within said department;
- Conflict of interest: a situation in which a private and personal interest interferes or could interfere (socalled potential conflict) with one of the University's interests, the achievement of which must be the exclusive objective of all employee actions;
- **Private purposes**: any purpose other than the institutional purpose and pertaining to the relationship with the University of Udine;
- Modest value: a value not exceeding, indicatively, €150.00, including in the form of a discount;
- Collaborative assignments: assignments of any kind and for any reason (e.g., assignments as consultant, expert, arbitrator, auditor, attorney, etc.) appointed by the University of Udine;
- Private entities: any private entity, including non-profit entities, with the exclusion of those private
  entities included in the list of public administrations that are on the consolidated income statement,
  identified pursuant to Article 1, paragraph 3, of Law no. 196 of 31 December 2009, entities in which a



public administration has a majority shareholding, as well as legal entities established by technology transfer activities;

• **Disciplinary Proceedings Office (UPD)**: the office set up to exercise the functions provided for in Article 55-bis and Article 15, paragraph 3 of the Italian Code of Conduct.

#### SECTION I - CODE OF ETHICS

# Article 3 - REJECTION OF UNFAIR DISCRIMINATION

- 1. The University is a diverse community of people and all of its members are entitled to equal human dignity, mutual attention and appreciation. The University of Udine has a unique history and retains certain unique characteristics, yet at the same time it must embrace the characteristics of universality.
- 2. The rejection of all unfair discrimination is also embodied in the University's secular approach, understood as rational impartiality towards diverse cultural, religious, political and scientific views, in line with the principles set out in the Preamble. However, secularity must also be understood as the possibility for individuals to express freely, openly and critically, even in the public sphere, their deeply held personal convictions, provided they are compatible with mutual well-being. Mutual well-being is a universal ethic that stems from the fact that we are all members of humanity, and is compatible with all the different forms and varieties that humanity can assume, while always respecting universal human dignity. All members of society must recognise themselves in this ethic and undertake to adopt it. The rejection of all unfair discrimination must be understood primarily in a positive way and should be adopted in all statements, proposals and practices within the University context by all members of the "University Community": students, lecturers, and technical-administrative staff. The University of Udine is committed to affirming and practising the equal dignity of every person on a daily basis and to welcoming and valuing diversity. It also undertakes to bring attention to and report any unfair discrimination in our society that may affect individuals, communities and populations.
- 3. The rejection of all unfair discrimination extends to the affirmation and practice of impartiality: the granting of privileges or the denial of equal dignity, equality and opportunity are an offence against the universal ethic upon which the University is founded.

# Article 4 - QUALITY ASSESSMENT

- 1. The recognition and development of quality are a fundamental objective of the University in all areas of its activities, whether educational, research or administrative.
- 2. The difficulty of assessing quality fairly must not be used as a justification for conduct that disregards or fails to value it.



#### Article 5 - FAVOURITISM, NEPOTISM

- 1. Favouritism is defined as the behaviour of a person who, taking advantage of their position, favours another person irrespective of the objective assessment of their qualities. Nepotism is a particular type of favouritism in which the perpetrator and the beneficiaries of the misconduct are related by blood, marriage, kinship or stable cohabitation.
- 2. In academia, nepotism is understood as when a professor, researcher or member of the technical-administrative staff uses their authority or ability to persuade other professors, researchers or members of the technical-administrative staff to grant financial benefits, to favour the assignment of roles or appointments to a post, or to influence the outcome of selection procedures, for the benefit of one's spouse or relative up to the fourth degree, cohabitant, or for any other reason unrelated to merit. Favouritism also applies to those who knowingly benefit from, or demand, favourable conduct for themselves or others from those whose task it is to judge their quality.
- 3. These practices are a demonstration of unfairness by those who implement them; they are an affront to the right of all persons to obtain equal opportunities, and they effectively hinder the achievement of standards of excellence. Any incidents of favouritism should be reported. Those who have been disadvantaged by incidents of favouritism should be encouraged to report such events, and are protected by the University as victims of misconduct, without this constituting a favourable condition for the victims themselves.

## Article 6 - ABUSE OF POSITION

- 1. Members of the academic community are not permitted to abuse the authority of their academic position or office.
- 2. Abuse of a position can be defined as conduct by a person aimed at inducing others to perform services not covered by a specific legal obligation, which unequivocally results in self-gain for said person.
- 3. Teaching staff, for example, are prohibited from asking students for proof of purchase or download, even free of charge, of a specific teaching tool that entails a financial advantage for the teacher (such as books, apps, or other aids).
- 4. It is also prohibited to require students-to carry out activities that involve the need to incur expenses to collect data, administer questionnaires, travel away from the premises where the course is held in order to pass an exam. In addition, locations where curricular training and research activities in preparation for dissertations are carried out should be rotated whenever possible. Scientific publications shall always

mention the contributors.





# Article 7 - SEXUAL ABUSE AND HARASSMENT

- 1. The University condemns and prosecutes all abuse and harassment of a sexual nature.
- 2. Such practices are all the more serious if they represent a condition for access, employment, continuation or progression in academic or career terms.
- 3. An even more serious breach of this Code occurs if the conduct described above is carried out by teachers towards students.

# Article 8 - TRANSPARENCY, INTEGRITY, CONFIDENTIALITY

- 1. The University of Udine must pursue and maintain an excellent reputation of integrity, including and not limited to compliance with laws and regulations, respect for contractual obligations, as well as abstention from any behaviour that, although in compliance with or otherwise not prohibited by contractual obligations, is not inspired by good faith and compliance with the principles and rules of this Code. Institutional activities or those by members of the University community, in areas where they are not guided by specific laws or regulations, shall be governed by the principles of equity, justice and respect for others. Integrity may not be sacrificed for reasons of convenience or expediency.
- 2. Members must endeavour to create and maintain a harmonious climate within the University; to this end:
  - i. Members shall conduct all their dealings with other members of the community and with persons with whom they come into contact in the course of their institutional activities in accordance with the principles of honesty, fairness and mutual respect;
  - ii. teachers and technical-administrative staff must carry out their teaching and assistance activities for students with care, competence and willingness;
  - iii. in the case of access to administrative documents, office managers must not place any greater constraints on other members than those provided for by law;
  - iv. members shall use the facilities and human and financial resources of the University for purposes that are strictly and exclusively related to the exercise of institutional activities;
  - v. members must cooperate in initiatives promoted by their department in order to improve the achievement of its aims.
- 3. The bodies and members of the University shall maintain the confidentiality of the information they come into possession of in the course their institutional activities and, depending on the specific nature of the information, shall implement all useful measures to avoid any undue disclosure of confidential information or documents. Particular, though not exclusive, consideration shall be given to the right to confidentiality of persons or bodies whose personal information is held by the University, as well as to confidentiality requirements relating to data or information acquired through participation in the activities of academic bodies.



#### Article 9 - RESEARCH ACTIVITIES

- 1. The University must contribute effectively to the growth of knowledge and thus to the progress and well-being of the community. The University has a duty to promote and ensure a culture of scientific integrity and humanistic values, based on the establishment of clear rules and procedures to ensure high standards and the timely identification of transgressions. Without prejudice to the principle of freedom of research, research activities must not in any case violate the principles referred to in the Preamble and must be inspired by the principles of respect for human dignity and the environment.
- 2. The principles of scientific integrity and humanistic values require absolute transparency in defining objectives, describing procedures and interpreting research data. Research must be credible and must always be communicated fully and accurately. Researchers must be impartial in the evaluation and interpretation of their research data, and have a duty to protect human subjects, animals, the environment and any other subjects. Researchers must be fair in providing references to the work of others, giving them due credit. They must also conduct any supervisory roles over junior researchers and students with responsibility and integrity.
- 3. Good research practices should consider the following points relating to data management, procedures, researchers' responsibilities, publication methods and editorial responsibilities.
  - A) Data. All test data must be kept in an accessible location and archived for a sufficiently long period, allowing access to all those who have the right to request it, in accordance with the applicable data protection regulations. The above does not apply to activities carried out on behalf of third parties, even if in the interest of the University, if the third party contractor has expressly imposed special confidentiality constraints on the handling and disclosure of the data subject to the research, subject to compliance with the principles set out in the first paragraph of this article.
  - B) Procedures. All research must be conducted proficiently and accurately, the impact on the environment must be minimised and resources must be used efficiently. Data confidentiality must be respected. Funded research must pursue the objectives defined when applying for the funding. Researchers are required to account for expenditure incurred through their research in the manner agreed with the funding bodies.
  - C) Liability. All research subjects, whether human, animal or plant, must be used with absolute respect for existing protocols and legal and ethical standards. The health and safety of research workers must not be put at risk. Animals may only be used if no alternative approaches are identifiable. However, the expected benefits of the results of animal research must clearly outweigh the discomfort inflicted upon them.
  - D) Publication. The results of research must be published in an honest and transparent manner, within a reasonable timeframe to make their dissemination worthwhile. All authors are equally responsible for the



content of the publication. The criteria for identifying the authors of a research project must be defined in advance by all participants in the project. The contributions of possible collaborators must be acknowledged, subject to their consent. All possible conflicts of interest must be explicitly declared. Communication with the public and the media must be honest and accurate. Except in exceptional cases, early dissemination in the media of results not yet validated by the scientific community should be avoided. Economic support for research, if any, must be declared.

- E) Editorial responsibilities. An editor, curator or reviewer with a potential conflict of interest with the material to be published or its authors must renounce this role, or clearly declare the conflict. Reviewers of a publication are bound by a duty of confidentiality and may not make unauthorised use of the material under evaluation.
- 4. In scientific research, misconduct can manifest itself in various forms:
  - fabrication, i.e. inventing and recording the results of experiments that were never carried out or citing false documents;
  - falsification, i.e. manipulating the research methods or altering and omitting data obtained in experiments, or deliberately misquoting the author or the content;
  - plagiarism, i.e. the appropriation of other people's ideas and results without giving appropriate credit or citing the source, except for genuine coincidence.

Other deviations from good practice include improper research and data management procedures, insufficient attention to research subjects, violation of protocols, lack of informed consent in human trials, failure to observe confidentiality, improper and disguised authorship, fragmentation of data in order to increase the number of publications, and failure to declare research sponsors.

## **Article 10 - TEACHING ACTIVITIES**

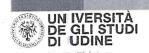
1. Together with research, teaching is the mainstay of the University's activities. This activity primarily involves teachers, students and the learning environment.

## **Teachers**

Competence in their field of expertise, continuous professional development and adequate attention to teaching aspects, including those relating to fair evaluation, are the indispensable duties of all teaching staff, in whatever capacity they teach at the University.

Without prejudice to the principle of freedom of teaching, teachers must ensure that the topics covered in the curriculum always reflect, first and foremost, the current situation of the subject in question.

Teachers must refrain from conduct that may result in the teacher gaining a financial or other advantage through students, e.g. requiring students to purchase textbooks written by said teacher or improperly using material produced by students in the course of their work.





#### Students

Students are expected to behave in a respectful and cooperative manner, and in any case conducive to education al activities.

Students must avoid any form of conduct that might distort the objective assessment of their academic performance. Plagiarism, in particular, constitutes a serious breach of this code, compromising the effectiveness of teaching and assessment.

## The study environment

The University administration, students and lecturers must contribute to the creation of environmental conditions that are conducive to the successful performance of teaching activities, and must ensure that the study environment is always healthy, appropriate and adequately equipped.

- 2. The University, as a place of culture, deserves respect, to be expressed through the appropriate behaviour of all those who attend it in any capacity.
- 3. The quality of the relationship between teachers and students is a key ingredient of the learning process; therefore, teachers and students must ensure that it is always based on fairness, loyalty and respect for roles.

## Article 11 - CONFLICTS OF INTEREST

1. Teachers and members of the technical-administrative staff must be professionally loyal to the University and its aims, which are to achieve excellence in teaching, education, research and patient care. A member of the teaching staff or of the technical-administrative staff of the University who has professional, economic or other interests, which - in relation to certain resolutions or decisions concerning the activities of the University falling within the competence of said person - are in conflict with the interests of the University, must abstain from voting on such resolutions or decisions and must immediately inform the academic body of which they are a member (if it is a collegial decision or resolution) or the Head of the department to which they belong; if they are a member of the technical-administrative staff, they must immediately inform the Head of the organisational unit to which they are affiliated.

#### **Article 12 - USE OF UNIVERSITY RESOURCES**

1. The resources made available by the University must always be used responsibly by all members of the academic community. The use of equipment, space, consumables, financial resources and intellectual and manual skills must always be relevant to the University's functions and purposes.

# Article 13 - USE OF THE NAME AND REPUTATION OF THE UNIVERSITY

1. All members of the University community contribute to establishing, enhancing and maintaining the good name and reputation of the University. The use of the name and logo is only permitted for institutional



purposes and must never be associated with professional purposes, occupations or external assignments, including non-profit ones. It is prohibited to express strictly personal opinions in conjunction with the improper use of the name of the University.

2. The indication of the position of a professor or researcher, and the teaching or research assignments (including the coordination of research projects, performance of a PhD, or activities remunerated with a research grant) entrusted by the University does not constitute a breach of the Code of Ethics. Such indications in the context of free professional activity may be made in compliance with the rules of professional ethics governing the same activity; in all other contexts, the indication must be accompanied by the specification of the relevant scientific-disciplinary sector, or of the subject of the research or teaching activity.

#### Article 14 - GIFTS AND BENEFITS

1. In the performance of institutional and extra-institutional activities, it is prohibited to solicit or receive gifts, benefits and offers of any kind, except in the event of meetings, visits or conventions and, in this case the relative values must be of modest value or merely symbolic, so as not to affect relations between the parties.

## **Article 15 - GUARANTEE COMMITTEE**

- 1. A Guarantee Committee has been established to advise the governing bodies of the University and to verify compliance with the provisions of this Section. The Guarantee Committee may propose additions or amendments to the provisions of this Code.
- 2. The Guarantee Committee consists of five members, each appointed by the Rector for a three-year term of office, renewable only once, in accordance with the following criteria:
  - at least one member must be a full professor;
  - at least one member must be an associate professor;
  - at least one member must be a researcher with a permanent contract;
  - at least one member a member of the technical-administrative staff with a permanent contract.

The position of member of the Guarantee Committee may not be held at the same time as the position of member of the Academic Senate. In the sole cases of violations of this Section of the Code of Ethics that are found to have been committed against a student, i.e. where a student is the injured party due to the conduct of others, or in the case of amendments to the provisions of this Section concerning students, the Committee shall be assisted, solely with regard to the relevant proceedings and/or the relevant deliberations, by a student representative appointed by the Rector chosen by the Student Council, with the exclusion of the student representatives in the Academic Senate.



3. The Committee may validly resolve when at least four members are present, not including the student representative; the Committee resolves with the favourable vote of the majority of those present, except for proposals to amend this Code, which are resolved with the favourable vote of the majority of total members.

4. The Committee shall elect a Chairperson from among its members, and may adopt rules for the exercise of its functions, subject to the provisions of this Section. Members of the Committee are obliged to abstain from resolutions on proceedings concerning alleged breaches against their spouses or relatives up to and including the fourth degree, or cohabitants, or breaches relating to acts, facts or conduct in which they have a personal and concrete interest. If, as a result of the abstention of one or more members, the Committee is unable to validly resolve pursuant to the above point, the Rector shall appoint one or more replacement members - solely for the proceedings to which the abstention applies - in compliance with the criteria set out in paragraph 2.

#### Article 16 - IDENTIFICATION OF VIOLATIONS OF THE CODE OF ETHICS PROCEDURE. SANCTIONS

- 1. The Rector receives reports from members of the University community concerning possible violations of the Code of Ethics and proceeds to make a preliminary assessment of the existence of the aforementioned violations, dismissing only reports of manifestly non-existent violations. Reports may concern violations committed by all members of the University community, including, for the purposes of the application of Section I, all those who as specified in Chapter I of the University Statute spend periods conducting research (including but not limited to PhD students, postdoctoral fellows, postgraduate students), teaching (e.g. holders of teaching contracts) and study (e.g. foreign students, experts in the field) at the University, solely in respect of such periods.
- 2. If, on the basis of the assessments referred to in paragraph 1, the Rector considers that the reports received may constitute grounds for disciplinary liability in respect of, respectively, teaching or research staff, technical-administrative staff, or students, the necessary steps shall be taken to initiate disciplinary proceedings, forwarding the documents, where necessary, to the bodies and offices responsible for disciplinary proceedings pursuant to existing legislation.
- 3. If the Rector, or the bodies or offices to which the Rector has forwarded the documents pursuant to the preceding paragraph, considers that no grounds disciplinary liability can be inferred from the reports received, they shall forward the documents to the Guarantee Committee.
- 4. If, on the basis of the facts, the Guarantee Committee considers that there may be a breach of Section I of the Code, it shall issue a formal complaint against the person concerned. With regard to the persons not mentioned in paragraph 2 but nevertheless required to comply with this Section pursuant to paragraph 1, the Committee shall notify the charges, dismissing only those reports concerning manifestly non-existent violations.



- 5. The proceedings governed by this article shall be conducted in accordance with the principle of adversarial debate and the presumption that the alleged violation does not exist; the charges must be notified in writing to the person concerned, with an indication of the provisions allegedly violated; the person concerned shall be given a period of not less than fifteen days in which to submit their counter-arguments, with the right to ask to appear before the Committee.
- 6. After examining any counter-arguments submitted by the person concerned, and after hearing the person concerned, if they so request, the Guarantee Committee concludes its investigation with a reasoned decision, in which it:
  - a) declares the non-existence of the alleged violation, forwarding the decision to the Rector and the person concerned;
  - b) if the conditions for establishing the non-existence of the violation are not met, proposes the application of a sanction as provided for in paragraph 7 9 below, forwarding the resolution to the Rector for approval by the Academic Senate pursuant to Article 2, paragraph 4, of Law no. 240/2010.
- 7. Any proceedings before the Guarantee Committee must in any event be concluded within 60 days of the charges being brought.
- 8. On receipt of the Committee's decision, the Rector shall, within thirty days, formulate a proposal for the possible application of a sanction; the Academic Senate shall decide on this proposal within the following sixty days.
- 9. The sanctions shall be applied in accordance with the principle of proportionality and gradation, and are as follows:
  - a) formal reprimand;
  - b) formal reprimand with notification to the University community;
  - c) exclusion from the allocation of departmental funds for a period of up to three years, starting on 1 January of the year following the decision of the Academic Senate.
- 10. The decision of the Academic Senate is in any case forwarded to the person concerned and to the Evaluation Committee. If the sanctions referred to in paragraph b) and c) above are imposed, the resolution shall also be published on the University's website; the execution of the resolutions imposing the sanction referred to in paragraph c) is the responsibility of the University Administration. The documentation relating to the sanction must be kept in the personal file of the person concerned.
- 11. In the event of alleged violations of the Code of Ethics attributable to the Rector, all the functions and activities referred to in this article shall be carried out by the Chairperson of the Guarantee Committee.



#### SECTION II - CODE OF CONDUCT

#### Article 17 - NATURE AND FUNCTION OF THE CODE OF CONDUCT

1. The Code of Conduct is adopted in implementation of the provisions of Article 54, paragraph 5 of Italian Legislative Decree no. 165 of 30 March 2001, and supplements and specifies the contents and directives set out in the Regulation on the Code of Conduct for Public Employees, pursuant to Article 54 of the same decree, issued by Italian Presidential Decree no. 62 of 16 April 2013. This Code also takes into account and supplements the provisions set out in Section I, constituting a further specification with reference to the entities referred to in paragraphs 1, 2 and 3 of the following Article.

#### Article 18 - GENERAL PRINCIPLES

- 1. Employees undertake to observe the Constitution, serving the Nation with discipline and honour and conforming their conduct to the principles of good performance and impartiality of administrative action, carrying out their duties in accordance with the law, pursuing the public interest without abusing their position or powers. Employees shall acknowledge and observe the principles of community law, the Statute, the regulations and this Code.
- 2. Employees shall also respect the principles of integrity, fairness, good faith, proportionality, objectivity, transparency, equity and reasonableness and acts independently and impartially, avoiding any conflicts of interest.
- 3. Employees, as part of the University community, shall contribute to the pursuit of the institutional aims and strategic-objectives of the University according to the degree of responsibility provided for by the University regulations and the functions assigned to them.
- 4. Employees shall not use for private purposes the information at their disposal for official reasons, and shall avoid situations and conduct that may hinder the proper performance of their duties or harm the interests or image of the University.
- 5. Employees shall carry out their duties by directing administrative action towards the principles of economy, efficiency and effectiveness. The management of public resources for the purpose of carrying out administrative activities must aim to limit costs without compromising the quality of results.
- 6. In relations with users, employees shall ensure equal treatment on equal terms, refraining from arbitrary actions that have an adverse effect on users or that lead to discrimination based on gender, nationality, ethnic origin, genetic characteristics, language, religion or belief, personal or political convictions, membership of a national minority, disability, social or health conditions, age and sexual orientation or other

various factors.





7. Employees must demonstrate the utmost availability and cooperation in relations with other public administrations, ensuring the exchange and transmission of information and data in any form, including online, in compliance with current legislation.

# Article 19 - GIFTS, REMUNERATION AND OTHER BENEFITS

- 1. Employees shall not ask for or solicit, for themselves or for others, gifts or other benefits.
- 2. Employees shall not accept, for themselves or for others, gifts or other benefits, except for gifts of modest value given occasionally as part of normal courtesy or institutional relations and within the framework of international customs. In any case, irrespective of whether the act constitutes a criminal offence, employees shall not ask for gifts or other benefits, not even of a modest value, for themselves or others, as remuneration for performing an act envisaged by their role, from persons who may benefit from decisions or activities inherent to said role, nor from persons towards whom the employee called upon to perform or exercise activities or powers pertaining to their role.
- 3. Employees may not receive, for themselves or for others, any gift when it is in the form of cash or other means of payment in lieu of money (vouchers, prepaid cards, telephone cards, etc.).
- 4. Employees shall not accept, for themselves or for others, from a subordinate, directly or indirectly, gifts or other benefits, except those of modest value. Employees shall not offer, directly or indirectly, gifts or other benefits to a superior, except for those of modest value.
- 5. Employees shall inform the Head of Corruption Prevention of the receipt of gifts and/or other benefits, outside the cases permitted by this Article. All communication must be made promptly in writing. Delayed or omitted communication may lead to disciplinary liability.
- 6. Gifts and, where possible, other benefits, received outside the permitted cases and where immediate restitution is not possible, shall be handed over by the person concerned to the University within three days of receipt at the latest.
- 7. Employees may not accept collaboration assignments from private individuals who have had a significant interest in decisions or activities concerning the same office in the previous two years.
- 8. The Head of Corruption Prevention shall ensure that this Article is properly applied.

# Article 20 - PARTICIPATION IN ASSOCIATIONS AND ORGANISATIONS

1. In compliance with the regulations in force on the right to freedom of association, employees shall promptly inform their head of the department of their membership or affiliation to associations and organisations, whether or not they are of a confidential nature, whose areas of interest may interfere with the performance of the department's activities. This provision does not apply to membership of political parties or trade unions.



- 2. The communication referred to in the preceding paragraph must contain the essential data concerning the association and the reasons for the potential interference and must be made within 15 days:
  - a) from the time of recruitment or appointment,
  - b) of taking up duty at the office;
  - c) of membership, or in any case within 15 days of the moment at which the employee becomes aware of possible interference with the activities of the department to which the employee is assigned
  - d) in the case of a transfer, of the moment at which the employee becomes aware of the new appointment;
  - e) or within 60 days of the entry into force of this Code.

#### **Article 21 - DISCLOSURE OF PERSONAL INTERESTS**

- 1. Upon assignment to a position, employees shall inform the Head of Department, within 15 days, of all direct or indirect collaborative relationships with private individuals, whether paid in any way, that they have or have had in the last three years, specifying
  - a) whether financial relations continue to exist between said private individual referred to above and themselves, their relatives or persons related by blood or by marriage up to the second degree of kinship, their spouse or cohabiting partner;
  - b) whether such relations have been or are being maintained with persons having an interest in activities or decisions relating to the department, limited to the files entrusted to them.
- 2. The communication shall be made in the form provided for in the preceding Article.

## Article 22 - CONFLICT OF INTEREST AND OBLIGATION TO ABSTAIN

- 1. In the cases envisaged by Articles 6, paragraph 2, and 7 of the Italian Code of Conduct, where a conflict of interest, even potential, is identified, employees shall refrain from taking part in the adoption of decisions, whether collective or monocratic, and from carrying out activities that are part of their official duties, with the exception of purely material ones.
- 2. Employees must promptly notify their abstention before carrying out any activity pursuant to their role, by means of a confidential written letter addressed to the Head of Department, clearly stating the reasons for the abstention.
- 3. The manager who receives the communication referred to in the preceding paragraph shall, after obtaining the necessary information, decide on the abstention by adopting the consequent measures and notifying the employee concerned in writing. In the event a conflict of interest is established, the manager shall, with due regard for confidentiality, take the necessary measures to ensure that the employee does not participate in activities other than purely material activities in connection with the reported practice. If necessary, the manager shall replace the employee to the extent necessary.



- 4. If the manager sees no grounds for abstention, they will close the case and notify the person concerned in writing in confidence.
- 5. The obligation to abstain under this Article shall apply to all degrees of relationship. The onus is on the manager to assess the relative importance.
- 6. If the conflict concerns an employee referred to in Article 3, paragraph 2, the decision is taken on the basis of the provisions of the Code of Ethics. If the conflict concerns the Director General, the decision is taken by the Rector.
- 7. The late, incomplete, false or non-communication shall result in disciplinary liability.

## **Article 23 - PREVENTION OF CORRUPTION**

- 1. For the purposes of the provisions of art. 8 of the Italian Code of Conduct, employees are required to comply with the provisions of the anti-corruption legislation and the plans provided for therein, and may report to the University any situations of wrongdoing of any kind of which they become aware.
- 2. In order to protect confidentiality, employees may report directly to the Head of Corruption Prevention, providing any necessary information and relevant documentation.
- 3. The Head of Corruption Prevention, having acquired summary information:
  - a) if they deem the report to be worthy of further investigation, shall forward the documents to the competent disciplinary authority within five days and shall adopt any other measure necessary, including measures to protect the employee who submitted the report;
  - b) if they deem that the report does not merit investigation, shall inform the employee who submitted it.

# Article 24 - TRANSPARENCY AND TRACEABILITY

- 1. Employees shall pursue their activities according to principles of transparency and ensure maximum traceability in decision-making processes, both for the purpose of fulfilling regulatory obligations and in order to guarantee the satisfaction of end users.
- 2. Employees shall be familiar with and comply with current legislation and the University's three-year Transparency and Integrity Programme.
- 3. The Heads of the University departments are required to identify a Transparency Representative who will play an active role in following the regulations and overseeing the timely and accurate publication of data, ensuring the quality, integrity, constant updating, completeness, homogeneity and easy accessibility of the information as provided for by Article 6 of Italian Legislative Decree no. 33 of 14 March 2014.
- 4. The Transparency Representative works in close contact with the University Transparency Officer, in order to coordinate their actions with the overall design of the three-year Transparency and Integrity Plan.



- 5. Employees shall take particular care in carrying out transparent administrative action and in managing the content of the information in their possession in order to avoid damage to the University's image.
- 6. In order to guarantee the continuity of the department's activity, as well as the availability, traceability and sharing of information, employees shall use, where provided for, the University IT tools, following the filing procedures provided for by internal procedures.
- 7. Employees shall pay particular attention to the production and publication of data in open format, pursuant to Article 7 of Italian Legislative Decree no. 33 of 14 March 2013.

## Article 25 - CONDUCT IN PRIVATE RELATIONSHIPS

- 1. Employees, in private relations also with public officials in the exercise of their roles, shall not misuse their position in the University. To this end, the employee shall use the name, brand and logo of the University exclusively for activities related to the position held at the same, and, where required by internal regulations, with prior authorisation.
- 2. In all their private activities, including participation in websites and social networks, employees shall take particular care not to damage the University's image.

#### Article 26 - CONDUCT AT WORK

- 1. Without prejudice to compliance with the timeframes set for administrative procedures, employees shall not, except for justified reasons, delay or behave in such a way that other employees are responsible for carrying out activities or taking decisions for which they are responsible.
- 2. Employees shall use leave of absence, however named, in accordance with the conditions laid down by law, regulations and collective labour agreements.
- 3. Employees shall guarantee effective attendance, pursuant to Article 55-quinquies of Italian Legislative Decree no. 165 of 30 September 2001, through the correct and diligent use of the attendance systems made available by the Administration.
- 4. Employees shall use the spaces, furnishings, material, equipment, computer tools and telephones made available by the University with particular care and diligence and in the manner provided. Employees shall only use the means of transport provided by the University for the performance of their official duties, refraining from transporting third parties except for official reasons.
- 5. Employees who represent the University in judicial or extra-judicial disputes, including by proxy of the State Attorney, are required to comply with the relevant regulations.
- 6. Employees who carry out an activity eligible for protection as an original work of art shall promptly inform the Head of Department or the Research Director, making available the necessary means to enable the protection.

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- 7. Employees who use equipment, machines or other apparatus are obliged to comply with the specific regulations, instructions for use and all precautions to prevent and avoid risks to their own health or that of third parties (Italian Legislative Decree no. 81/2008).
- 8. Employees who receive University property or property belonging to other bodies with which the University has a contract or agreement, for use in the course of their duties shall assume the obligations of custody and protection provided for in the applicable legislation. Employees shall not transfer, even temporarily, to third parties the aforementioned assets, except in cases provided for by Law no.
- 9. Employees shall take due care and diligence in protecting the IT tools, as well as the access credentials to the IT systems made available by the University, also in order not to jeopardise their IT security.

## **Article 27 - PUBLIC RELATIONS**

- 1. Employees shall maintain an appropriate demeanour and professionalism in relations with the public and users and act as a representative of the University.
- 2. Employees who engage in relations with the public shall ensure recognisability by visibly displaying their badge or other form of ID made available by the administration, unless otherwise indicated, also in consideration of the safety of employees, and shall work in a spirit of service, correctness, courtesy and availability and, when answering correspondence, telephone calls and e-mails, shall act as promptly, completely and accurately as possible. If employees are not competent to engage in the said public relations due to their position or subject matter, they shall refer the person concerned to the competent manager or department of the same administration. When conducting operations or processing files, employees shall observe chronological order, unless otherwise required or unless a different order of priority is established.
- 3. Without prejudice to the right to express opinions and disseminate information to protect trade union rights, employees shall refrain from public statements that are offensive to the University.
- 4. Only employees specifically authorised to do so may make public statements on behalf of the University.
- 5. Employees must be clear and exhaustive in providing answers to the various requests received; if the request is formulated electronically, employees undertake to use the same tool with which the request was forwarded, and to process the answer in a timeframe appropriate to the content of the question and in any case appropriate to standards of efficiency. In addition, all appropriate elements for the identification of the person responsible for the response must always be highlighted. Where responses do not lead to the initiation of administrative proceedings, they shall be forwarded within seven days, unless there are justified reasons.
- 6. Employees shall not undertake or anticipate the outcome of their own or other people's decisions or actions relating to the position, except in permitted cases. Employees shall provide information and news relating to administrative acts or operations, whether in progress or concluded, in the cases provided for by



the legal and regulatory provisions on access, always informing those concerned of the possibility of also using the Public Relations Office. Employees shall issue copies and extracts of acts or documents within its competence, in accordance with the procedures laid down in the rules on access and the regulations of its administration.

7. Employees shall observe professional secrecy and the rules on the protection and processing of personal data; if they are asked verbally to provide information, deeds or non-accessible documents protected by professional secrecy or the rules on personal data, they shall inform the applicant of the reasons why the request cannot be granted. If employees are not competent to deal with the request, they shall ensure, on the basis of internal provisions, that the request is forwarded to the competent office of the same administration.

#### **Article 28 - SPECIAL PROVISIONS FOR MANAGERS**

- 1. Managers supervise compliance with the disciplinary, transparency and anti-corruption rules on absenteeism and leave of absence, incompatibility, and accumulation of employment and work assignments by the employees of the department for which they are responsible.
- 2. Managers shall diligently perform their duties and pursue their assigned objectives by adopting appropriate organisational behaviour.
- 3. Managers shall also ensure a fair distribution of workloads within their department; promote regular meetings in order to optimise their work through dialogue and discussion; monitor and remove any changes to workloads due to the negligence of certain employees.
- 4. Before taking up their duties, managers must disclose to the administration any shareholdings and other financial interests that may bring them into conflict with the public service they perform and must also declare whether they have any relatives and relatives-in-law up to the second degree, spouse or cohabiting partner engaging in political, professional or economic activities that bring them into frequent contact with the department they are to manage or involve them in decisions or activities relating to it.
- 5. Managers shall endeavour to implement fully the provisions of the Italian Code of Conduct and, in particular, Article 13 thereof.

## Article 29 - CONTRACTS AND OTHER NEGOTIATED AGREEMENTS

1. In the conclusion of agreements and negotiations and in the stipulation of contracts on behalf of the University, as well as in the execution phase of the same, employees shall not resort to mediation by third parties, nor pay or promise any benefit to anyone by way of intermediation, or to facilitate or have facilitated the conclusion or execution of the contract. This paragraph shall not apply to cases where the University has decided to use professional intermediation.



- 2. Employees shall not conclude, on behalf of the University, any tender, supply, service, financing or insurance contract with companies with which they have stipulated contracts in a private capacity or received other benefits in the previous two years, with the exception of those concluded pursuant to Article 1342 of the Italian Civil Code. In the event that the University concludes tender, supply, service, financing or insurance contracts with companies with an employee has concluded private contracts or received other benefits in the previous two years, the employee shall abstain from participating in the adoption of decisions and activities relating to the execution of the contract, drawing up a written record of such abstention to be kept on file in the office.
- 3. Any employee who concludes agreements or negotiations or enters into private contracts, with the exception of those concluded pursuant to Article 1342 of the Italian Civil Code, with private natural or legal persons with whom they have concluded, in the previous two years, procurement, supply, service, financing and insurance contracts, on behalf of the University, shall inform their Head of Department in writing
- 4. If the manager finds themself in the situations referred to in paragraphs 2 and 3, they shall inform the Director General in writing.
- 5. Any employee who receives, from natural or legal persons involved in negotiation procedures in which the University is a party, oral or written complaints about the work of the department or that of their collaborators, shall immediately inform, where possible in writing, the Head of Department.

#### SECTION III - FINAL PROVISIONS

## Article 30 - SCOPE OF APPLICATION

- 1. This Code, without prejudice to the provisions of paragraphs 2 and 4, shall apply to the entire University community, which shall be understood to mean the community composed of professors, researchers, including those on fixed-term contracts, assistants, managerial and technical-administrative staff, including those on fixed-term contracts; holders of teaching and research contracts, collaborators and consultants in any capacity and with any type of assignment; doctoral students and research grant holders; students on the University's study courses and inter-University courses; holders of study or research grants; staff of other administrations who, for any reason, perform their services at the University of Udine; members of the University's academic bodies and collegiate bodies.
- 2. Section II, entitled "Code of Conduct", concerning the obligations of conduct connected with service activities, applies to all those who work at the University of Udine.
- 3. The provisions of the same Section II shall also apply, *mutatis mutandis*, to all external entities that have relations with the University and, in particular:
  - a. collaborators or consultants, with any type of contract or assignment, including teaching



assignments pursuant to Article 23 of Law no. 240 of 30 December 2010;

- b. collaborators in any capacity whatsoever supplying goods or services which carry out works for the administration;
- c. research grant holders;
- d. holders of scholarships and study grants;
- e. students with part-time contracts (150 hours);
- f. holders of contracts for tutoring activities;
- g. any other person not included in the preceding paragraphs to whom the application of the same Section and related provisions is extended by law.
- 4. For the purposes of the preceding paragraph, contracts or unilateral acts of office or appointment or a specific additional agreement shall include a clause on termination of the relationship or cessation of office in the event of breach of the obligations arising from Section II.
- 5. For staff governed by public law, the rules set out in Section II shall constitute general principles of conduct and shall apply *mutatis mutandis* to the provisions of their respective legal systems.

#### Article 31 - VIOLATIONS OF THE CODE OF CONDUCT

- 1) Pursuant to the provisions of Article 2, paragraph 4 of Law 240/2010, if the same conduct results in a simultaneous disciplinary violation and violation of the provisions of the Code of Ethics, only disciplinary action shall be taken.
- 2. Violation of the detailed provisions contained in the Code of Conduct by staff employed under public law may constitute a violation of the Code of Ethics.
- 3. Pursuant to the provisions of Article 16 of the Italian Code of Conduct, violation of the obligations provided for therein, of those provided for in Section II as well as of the duties and obligations provided for by the Italian Code and by the three-year Corruption Prevention Plan, constitutes conduct contrary to the duties of the office and determines disciplinary liability ascertained at the outcome of the disciplinary procedure, in compliance with the principles of gradation and proportionality of the sanctions, in accordance with the provisions of Italian Legislative Decree no. 165/2001 and by national collective labour agreements, where applicable.
- 4. Breach of the above obligations may also give rise to criminal, civil, administrative or accounting liability on the part of the employee.
- 5. This is without prejudice to further obligations and consequent cases of liability on the part of the employee provided for by law, regulations or collective agreements.
- 6. The University, at the same time as signing the employment contract or conferring the assignment, shall deliver and have the employee or collaborator sign a copy of the Italian Code of Conduct and of this Code.



# Article 32 - SUPERVISION, MONITORING AND TRAINING ACTIVITIES

- 1. The Rector, Department Heads, managers and the Disciplinary Proceedings Office shall oversee the application of the provisions of this Code. As part of its fact-finding and supervisory activities, even before the charges are brought, the Disciplinary Authority shall have access to any document and may acquire any relevant information.
- 2. The activities carried out pursuant to this Article shall comply with any provisions contained in the three-year corruption prevention plan adopted by the University pursuant to Article 1, paragraph 2 of Law no. 190 of 6 November 2012. The Disciplinary Proceedings Office updates the Administration's Code of Conduct, examines reports of violations of the Code of Conduct, and documents the unlawful conduct found and sanctioned, ensuring the guarantees referred to in Article 54-bis of Italian Legislative Decree no. 165 of 2001 are met. The Head of Corruption Prevention is in charge of disseminating knowledge of this Code within the University, of monitoring its implementation on an annual basis, pursuant to Article 54, paragraph 7, of Italian Legislative Decree no. 165 of 2001, of publishing it on the institutional website and of communicating the results of monitoring to the National Anti-Corruption Authority, pursuant to Article 1, paragraph 2, of Law no. 190 of 6 November 2012. For the purposes of carrying out the activities provided for in this Article, the Disciplinary Proceedings Office shall work in conjunction with the Head of Corruption Prevention
- 3. For the purposes of initiating disciplinary proceedings for breach of the Codes of Conduct, the University may ask the National Anti-Corruption Authority for an optional opinion in accordance with the provisions of Article 1, paragraph 2, letter (d) of Law no. 190 of 2012.
- 4. The Head of Corruption Prevention and the Disciplinary Proceedings Office may propose the updating of this Code, the drafting of information notices and circulars, the organisation of refresher seminars for employees and any other useful initiative.
- 5. Employees are given training on transparency and integrity, enabling them to gain full knowledge of the contents of the Code of Conduct, as well as annual and systematic updates on the measures and provisions applicable in these areas.

# Article 33 - APPROVAL OF THE CODE DISCLOSURE. AMENDMENTS

- 1. This Code is adopted by resolution of the Academic Senate, after consultation with the Board of Directors; the Code is published on the University website and posted on the official University notice board, and the University undertakes to promote its widest possible dissemination to all members of the University community. A copy of the Code is given to each lecturer, researcher or employee of the University when they take up their duties.
- 2. Amendments or additions may be made by resolution of the Academic Senate, subject to the opinion of



the Board of Directors, on the proposal of the Rector, of one third of the members of the Academic Senate, or of one third of the members of the Board of Directors, the Director General, or the Guarantee Committee.

