



## CODE OF ETHICS AND CONDUCT

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#### **CHAPTER I – GENERAL PROVISIONS**

##### **Article 1 – Code of Ethics and Code of Conduct**

1. This Code (hereinafter the Code) combines the Code of Ethics and the Code of Conduct of the University of Trieste (hereinafter the University). In some cases, the provisions of previous codes have been further specified or revised. Behavioural obligations have been divided into two categories: obligations that, if breached or unfulfilled, entail disciplinary sanctions; ethical and professional requirements that, if violated, entail non-disciplinary sanctions.

The rules of the Code are organised into sections for convenience and govern the obligations common to all University staff as well as the obligations specific to certain roles, such as professors, researchers and students.



2. The Code is adopted in accordance with Italian Presidential Decree No 62 of 16 April 2013 which details the Italian Code of Conduct for Civil Servants (hereinafter the National Code of Conduct), Article 2(4) of Italian Law No 240 of 30 December 2010 'Rules on the organisation of universities, academic staff and recruitment, and delegation to the Government to promote the quality and efficiency of the university system', Article 54(5) of Italian Legislative Decree No 165 of 30 March 2001 'General rules on the organisation of employment in public administrations', the guidelines of the Italian Ministry of Education, University, and Research for the 2017 update of the National Anti-Corruption Plan – University Section, approved by ANAC (Italian Anti-Corruption Authority) Decisions No 1208 of 22 November 2017, No 75 of 24 October 2013 and No 177 of 19 February 2020.

The Code also implements and specifies the provisions of Article 6 of the University Statute and is consistent with the provisions concerning: research integrity and ethics; the prevention of harassment in the workplace or place of study to safeguard the rights and dignity of the individual; the functioning of the Disciplinary Board and provisions for the conduct of disciplinary proceedings against University professors and researchers; the teaching duties of professors and researchers; the procedure for granting authorisation to professors and researchers to work outside the University; the academic career of the student; the use of e-mail and the Internet; the protection of personal data; the use of social media.

3. Pursuant to Article 2(4) of Italian Law No 240 of 30 December 2010 and Article 6 of the Statute, Chapter II of this Code establishes the fundamental values of the University community and the general principles with which the University complies, recognising their fundamental ethical value. The rules aim to promote the recognition and respect of individual rights as well as the acceptance of obligations and responsibilities towards the University. They are also designed to prevent any form of discrimination or abuse within the academic community.

4. Pursuant to Article 54(5) of Italian Legislative Decree No 165 of 30 March 2001, Chapter III of this Code supplements the provisions of the National Code of Conduct which is fully applicable at the University and specifies the minimum duties of diligence, loyalty, impartiality and good conduct detailed therein.

## **Article 2 – Scope of the ethical principles of the academic community**

1. The provisions of Chapter II of this Code apply to the entire University community: professors (*professori*); researchers (*ricercatori*); managers (*dirigenti*); technical and administrative staff (*personale tecnico e amministrativo*), including language assistants (*collaboratori ed esperti linguistici*) and technicians (*tecnologi*); teaching and research fellows (*titolari di contratti di didattica e di ricerca*); collaborators and consultants of any kind; PhD students and research assistants (*assegnisti di ricerca*); recipients of scholarships or research grants (*borse di studio o di ricerca*); interns (*tirocinanti*); students of Bachelor's and Master's degree courses held by the University of Trieste or by any of its partner universities in conjunction with the University of Trieste (*corsi interateneo*); students taking vocational courses (*corsi professionalizzanti*) or specialisation degree courses (*corsi di specializzazione*); personnel from other entities who perform their duties at the University in any capacity; members of academic bodies and collegial organs of the University.



### **Article 3 – Scope of the rules of behaviour**

1. The provisions of Chapter III relating to behavioural obligations:
  - a) constitute general principles of conduct for staff governed by public law (professors and researchers) and apply in so far as they are compatible with the provisions of their respective legal systems;
  - b) implement the Regulation detailing the Code of Conduct for Civil Servants according to Article 54 of Legislative Decree No 165 of 30 March 2001 for managers as well as for technical and administrative staff, including language assistants and technicians;
  - c) apply to research assistants, recipients of institutional teaching and/or research contracts, as well as to staff with any other assignments and/or collaboration agreements;
  - d) apply, together with any necessary conforming changes, to any individual who, by virtue of an organisational and/or contractual relationship, acts in the name and/or on behalf of the University.
  
2. Within the limits of the law, an appropriate termination clause shall be included in all contracts, letters of assignment or in any appropriate supplementary agreement and will be applicable in the event of a breach of the obligations detailed in this Code.

### **Article 4 – Healthcare activities offered in Regional Health Service facilities**

1. The provisions of this Code shall apply to the healthcare activities offered in Regional Health Service facilities by:
  - a) professors, researchers, and technical and administrative staff as stated in the agreement between the Regional Health Service and the University;
  - b) research assistants and PhD students authorised by the health authorities to carry out healthcare activities;
  - c) junior specialist physicians;
  - d) students of medical and healthcare degree programmes.
  
2. Without prejudice to their legal status, the Code of Conduct of the healthcare facility in which the persons referred to in the previous paragraph work, study, teach or conduct research shall also apply, as shall the sanctions in the event of any infringement.  
This is without prejudice to the University's disciplinary power. The University retains the right to evaluate violations of the Code of Conduct of a healthcare facility in which a member of the university community works in accordance with its own regulations.
  
3. If the parties referred to in paragraph 1 believe that there are discrepancies or conflicts between the Code of Conduct of the Regional Healthcare Service and that of the University which lead to negative consequences, they may notify the Rector who will take appropriate measures.

### **Article 5 – Activities in other public or private bodies**

1. The provisions of this Code shall also apply to any activities carried out by professors, researchers, technical and administrative staff, research assistants, PhD students, or other individuals operating in other public or private bodies on the basis of an agreement between the given body and the University. This is applicable in the case of work done both within and outside of national borders.
  
2. Without prejudice to their legal status, if a code of conduct exists and does not conflict with this Code at the body where the persons referred to in the previous paragraph work, study, teach or



conduct research, then these persons are equally subject to the behavioural rules as well as the consequences outlined therein in the event of any infringement.

3. The persons referred to above, in particular, shall not engage in any conduct which could harm the image of the University during any activity carried out at other institutions, even if this activity is conducted by virtue of a relationship independent of the University.

4. The provisions of this Code also apply to staff involved in outsourcing activities.

## **CHAPTER II – ETHICAL PRINCIPLES OF THE ACADEMIC COMMUNITY**

### **Article 6 – Objectives and general principles**

1. Each individual within the University community is expected to respect, implement and promote the following universal ethical values with which the University identifies and to which it adheres in all aspects of its work:

- a) freedom in all its forms, including freedom of research, protection of human dignity, and the centrality and empowerment of the individual;
- b) equality, solidarity, equanimity, and the intolerance of any form of discrimination;
- c) the physical, mental, and moral health and well-being of individuals and society, including ensuring health and safety within the workplace or place of study;
- d) environmental, social, economic and energy sustainability;
- e) accountability, fairness, honesty, integrity and professionalism;
- f) good conduct, impartiality, loyal cooperation and transparency;
- g) the proper management of public assets and resources and their exclusive use for public purposes;
- h) the recognition of individual merits and talents, the promotion of individual and cultural diversity, and the rejection of favouritism in any form;
- i) equal opportunities and inclusion in all work and study environments; the protection, safeguarding, and empowerment of disadvantaged groups;
- j) the valorisation of knowledge and the encouragement of study and research.

### **Article 7 – Equality and anti-discrimination**

1. The University rejects and combats all forms of discrimination on the grounds of religion or belief, political opinion, gender, sexual orientation, physical appearance, race, skin colour, ethnic origin, language, citizenship, nationality, disability, personal, social or health conditions, pregnancy, family choices, age or academic role.

2. In order to ensure equality across all aspects of university life, the University will seek to take measures to prevent and eliminate situations in which an individual may experience disadvantage for any of the reasons referred to in the previous paragraph.

3. The University and its members are responsible for encouraging initiatives which protect and safeguard disadvantaged groups as well as individual and cultural diversity.

### **Article 8 – Impartiality**



1. The University promotes equity and fairness and rejects favouritism in any form – including nepotism or favouritism based on family connections – as it undermines the dignity of the individual. Such favouritism also prevents: the recognition of individual talent and merits, honesty, integrity, professionalism, and academic freedom. The University seeks to prevent and fight against any form of bias that may arise from an actual or potential conflict of interest.
2. The University condemns and punishes any practice of favouritism, that is, any arbitrary conduct which endangers the principle of impartiality, the reputation of the University or the rights of more deserving individuals.

### **Article 9 – Protection of the dignity and health of the individual**

1. The University combats all forms of abuse and harassment and, to that end, seeks to ensure a safe and healthy environment in which interpersonal relationships are grounded in fairness and respect for the freedom, dignity, and health of the individual.
2. The University does not tolerate any kind of harassment because it undermines the dignity of the individual. Members of the academic community are morally obliged to report instances of harassment when they become aware of them. Therefore, besides instances of complicity, passively witnessing such behaviours may also entail a joint liability. The existence of an asymmetrical position between the harasser and the victim constitutes an aggravating factor.
3. Any form of retaliation against anyone who denounces any form of harassment, shall also be regarded as harassment.

### **Article 10 – Freedom of study, research and teaching**

1. The University guarantees the members of its community an environment organised in accordance with the ideals of individual freedom and autonomy.
2. University professors have the right and duty to conduct research and teaching, with full freedom to choose the subject and methodology of their research as well as the content and didactic design of their teaching courses. They may freely carry out dissemination activities through conferences, seminars, and public and editorial activities in compliance with their institutional obligations.
3. In exercising academic freedom, members of the University are required to behave responsibly and comply with all rules. In order to do so, they may also adopt further regulations.
4. Members of the University community are also required to work collaboratively and ensure that all of the University's institutional activities are transparent, impartial, fair and efficient.

### **Article 11 – Social relevance of research and freedom of access to academic literature**

1. The University recognises the social relevance of research, and is committed to sharing methodologies, results, and the ethical impact of research with the research community and society. It also strives to ensure that research results contribute to the development and well-being of the academic and wider community.
2. The University promotes and encourages all forms of knowledge dissemination, not only through traditional methods, but also by promoting open access publications (*open archive*) for both the



consultation and dissemination of research and teaching materials in the forms provided for and permitted by University regulation. In this regard, the University encourages the development and use of open access among researchers.

## **Article 12 – Transparency**

1. The University aims to achieve broad cohesion and collective participation in institutional life. In line with this objective, the University endeavours to ensure that students, the university community and all categories of stakeholders benefit from the greatest possible transparency and timely knowledge of political, managerial and administrative action, as well as from clear and comprehensible documents, in accordance with the principles of accessible language and social accountability.
2. To this end, the University shall use its institutional portal as the main integrated point of access to information and services relating to university life, and as a means of promoting the transparency of institutional documents and activities. In line with the principles for digital administration, the University ensures that its portal is characterised by high accessibility and ease of use. This entails suitable modifications for people with disabilities. The University ensures that information and materials are easy to find, complete, clear, homogeneous, reliable, and of a high quality.
3. Within the limits of the law, the University takes measures to eliminate or reduce any inconvenience caused by errors or omissions in internal documents as a result of failure to comply with the transparency requirements set out above.

## **Article 13 – Access to information and communication technologies – digital rights**

1. The University promotes the use of new technologies and endeavours to ensure the exercise of 'digital rights' by all members of the community, in particular through the progressive development of on-line services. In order to achieve this, the University shall work to prevent and remove any obstacles that prevent full, equal access to information or information and communication technologies, paying particular attention to the requirements of disabled users, as well as situations of economic and social hardship.
2. In this context, the University also guarantees the employee's right to disconnect, that is, the freedom not to respond to work communications outside of working hours or during a rest/holiday period without this compromising employment status.
3. All members of the university community, when using social media, must comply with the relevant University guidelines.

## **Article 14 – Ethical aspects in teaching**

1. The University, in accordance with constitutional and statutory principles, recognises and protects the freedom of teaching, provided that it fulfils the requirements of the course. It seeks to ensure an environment that promotes and enhances intellectual freedom and the free exchange of ideas which are necessary to teaching, study and the pursuit of knowledge.
2. The University considers teaching to be the right and duty of every teacher, and should, as such, reflect their intellectual and research experience. In this regard, teachers are expected to



demonstrate: diligence, punctuality and rigour; respect for students, their rights, and their culture; impartiality in evaluating any coursework or exam work.

3. Students shall engage in educational activities with respect for the University and its facilities, their colleagues, teachers, technical and administrative staff, language assistants, technicians and any other individual supporting the teaching activity within the institution. This does not negate students' right to criticise or express their needs at all times through the appropriate institutional channels.

4. The University condemns and pursues all forms of unfair behaviour by teachers, other teaching assistants and students.

### **Article 15 – Ethical aspects of research**

1. The University, in accordance with constitutional and statutory principles, recognises and protects the integrity of research.

2. Research Integrity means the set of ethical principles and values, ethical duties, and professional standards upon which responsible and fair conduct is based. Research integrity is expected from those conducting, funding or evaluating research, as well as by institutions promoting and implementing it. The application of principles and values as well as the respect for ethics and professional standards are designed and implemented to guarantee the quality of research and contribute to bettering the reputation and public image of research. As such, integrity of research has important implications for the development of research and for society.

3. Fundamental to research integrity are the following principles:

- a) Dignity
- b) Responsibility
- c) Fairness
- d) Correctness
- e) Diligence

4. These principles encompass and are related to other ethical principles and values, including: freedom of scientific research; the honour and reputation of individuals as well as their loyalty to other people and institutions; honesty, rigour, reliability, and objectivity in conducting research; independent judgement, transparency, an open and fair attitude, and the recognition of merit; reciprocity and cooperation with others in fulfilling institutional obligations; the impartial, relevant, conscientious, and efficient use of resources; social responsibility for current and future generations, including the duty to protect the environment.

5. The University shall provide guidance, including through the Ethics Committee and the Ethics Commission, on ethical issues in the planning and execution of research.

6. The University condemns all forms of fraud in research as such behaviour undermines the reputation of the University, undermines society's trust in the research community, and wastes resources.

### **Article 16 – Ethical aspects of the 'third mission'**





1. The University believes that knowledge is an essential resource for the growth of society and therefore considers dialogue with society and knowledge dissemination to be important institutional objectives.
2. Third mission (i.e outreach and dissemination) activities should be carried out with a view to information, involvement, dialogue, debate, exchange of ideas, and contribution to community development. In its third mission activities, the University adheres to the principles of research rigour, pluralism, and independence from any ideological, religious, political and economic influence.

#### **Article 17 – Responsibility in institutional activity**

1. The University promotes responsible use of resources in accordance with the rules detailed in the EU treaties and the Italian Constitution and encourages the adoption of responsible individual and collective behaviour in all University activities.
2. In carrying out its institutional activities, the University requires effective cooperation, commitment, participation, honesty and loyalty from the governing body, management, administration, the members of the control, quality and assurance bodies and the University community as a whole.

#### **Article 18 – Decorum in places of work and study**

1. Every member of the University community is required to respect and maintain decorum in places of work and study. If charged with an institutional role, the individual has an obligation to observe and report any breach in this obligation.

### **CHAPTER III – RULES OF CONDUCT**

#### **Section I – COMMON BEHAVIOURAL OBLIGATIONS**

#### **Article 19 – General principles**

1. The University considers intellectual honesty, mutual respect and integrity essential for the achievement of its institutional objectives.
2. The provisions of this Code specify the behavioural obligations of Article 3 of the National Code of Conduct.
3. In any event, this Code guarantees all members of the University community the right to freedom of expression, to political and trade union activity, and to criticise.
4. As part of the academic community, employees contribute to the pursuit of institutional and strategic objectives according to the level of responsibility of their role and the duties assigned to them. Employees shall also demonstrate integrity, fairness, good faith, objectivity, transparency, fairness, reasonableness, and consider cost-effectiveness and a responsible use of time and resources. They shall act independently and impartially, avoiding any conflict of interest.
5. Employees shall not use information obtained through their official role for any purpose that is not relevant to their relationship with the University or in line with the University objectives. Employees



are equally expected to use the Internet and social media responsibly, and not in a manner which may hinder the proper performance of their tasks or harm the interests or image of the University.

## **Article 20 – Gifts and other benefits**

1. Employees shall not seek gifts or other benefits for themselves or for others.
2. Employees shall not accept, for themselves or for others, gifts or other benefits unless they are of low value and exchanged occasionally in the context of normal courtesy, institutional relations, or in the context of international customs. In any event, irrespective of whether the act constitutes a criminal offence, employees shall not seek, for themselves or for others, gifts or other benefits, even of low value, in return for doing work or performing duties required by their role. This applies to seeking gifts from anyone who may benefit from decisions or activities relating to the employees' position, from anyone the employees direct or anyone on whom the employees have a direct influence while on duty.
3. Employees shall not accept, for themselves or for others, gifts or other benefits from any subordinate, other than gifts or benefits of low value, and shall not offer, directly or indirectly, gifts or other benefits to a superior, other than gifts or benefits of low value.
4. For the purposes of this article, an approximate guideline for a gift or benefit of low value is below EUR 150, including discounts. This amount also constitutes the maximum total value, per calendar year, in the case of cumulative gifts or benefits. Employees may not receive, for themselves or for others, any gift in the form of cash or any other means of payment.
5. If, for any reason, employees receive a gift and/or benefit which is not permitted by this Code, they shall inform the Corruption Prevention Officer and their superior. The notification must be made in writing without delay.
6. When a gift cannot be returned, gifts and, if possible, other benefits received outside the permitted cases shall be promptly handed over to the Corruption Prevention Officer, who shall inform the Board of Directors to determine their destination.
7. Employees shall not accept work assignments from private entities who have had a significant interest in the decisions or activities of the office to which they belong in the previous two years. For the purposes of this article, 'work assignments' refers to assignments of any kind and in any capacity (including, but not limited to, roles as a consultant, expert, arbitrator, reviewer, agent, etc.). 'Private entities' denotes any private entity, including non-profit organisations and legal entities created within the framework of technology transfer activities. Private entities listed among public authorities constitute an exception. Such entities may be identified by their inclusion in the State consolidated financial statements which are annually identified by ISTAT and published in the Official Gazette pursuant to Article 1(3), of Italian Law No 196 of 31 December 2009.
8. Employees who, during the last three years of service, have exercised authoritative or negotiating powers on behalf of the public authorities referred to in Article 1(2) of Italian Legislative Decree No 165/2001 may not engage in employment or professional activities with the private entities affected by said authoritative or negotiating powers during their public service (*pantouflage*) in the three years following the termination of their public employment relationship.



**Article 21 – Communication on participation in associations and organisations and disclosure of financial interests.**

1. When assigned to their office, employees shall inform their superior of any membership to associations or organisations, irrespective of their confidential nature, that carry out activities that may interfere with those of their office. This obligation does not apply in case of membership to political parties or trade unions. The communication shall contain the association's key information and the reasons for the potential interference.

A potential interference exists where the goals or activities of the association or organisation relate wholly or mainly to the area of competence of the structure to which the employee is assigned.

2. When assigned to their office, employees shall inform their superior of all direct or indirect partnerships with private persons in the last three years that was paid – in any way – more than EUR 150, in accordance with the provisions of Article 6(1) of the National Code of Conduct.

3. Failure to communicate shall result in a breach of the duties of the employee and constitutes a disciplinary offence.

**Article 22 – Conflict of interest**

1. Employees, including in their capacity as a member of collegial organs, shall refrain from taking decisions or carrying out activities related to their duties when there is a potential or actual conflict of interests. The conflict may result between the University and the employee's own interests, those of their spouse, cohabitants or relatives within the second degree of consanguinity or affinity. The conflict may concern interests of any kind.

2. Employees shall also refrain from taking decisions or carrying out activities related to their duties when there is a potential or actual conflict of interests between the University and anyone with whom employees have regular contact as well as persons or organisations with whom they or their spouse have pending, direct or indirect litigation, serious enmity or significant credit or debt relationships. Without prejudice to their compliance with the rules on incompatibility, employees should also refrain from such activity in cases where there is a conflict of interests between the University and persons or organisations with whom they have a relationship as guardian, curator or agent, or in cases where they have a managerial, administrative, or directorial role in any other bodies, recognised or unrecognised associations, committees, companies or establishments. Employees shall refrain from the above in any case where there are serious reasons of convenience.

3. In the case of a potential conflict of interest, the employee's superior shall be notified promptly, before any action is taken. This notification shall contain any information relevant to assessing the significance of the conflict. This communication shall be recorded in the University's official Register.

4. The employee's superior, having obtained the necessary information, shall decide if there is an actual conflict of interest and, if necessary, whether the employee has to refrain from certain decisions or activities. The employee's superior shall take the necessary steps and give written notice to the employee concerned.

5. The employee shall also submit a similar declaration whenever there is a change in the situation previously declared.

6. In the case of a conflict of interests involving a manager, the communication should be addressed to the Director General, who makes the relevant decision. If the conflict involves the University's Director General, the decision is made by the Rector.



7. For employees involved in teaching and research activities, the decision lies with the Head of Department. If the conflict of interests involves the Head of the Department, the decision is made by the Rector.

8. If the conflict concerns the Rector, the decision shall be taken by the Board of Directors. Communication about the conflict must be addressed to the University's Dean who shall investigate and submit the file to the Board of Directors at the first appropriate meeting. In the event that the Board of Directors finds that there is a conflict of interest, the Dean shall replace the Rector in the activity where the conflict has been identified and adopt any necessary measures.

### **Article 23 – Prevention of corruption**

1. For the purposes of Article 8 of the National Code of Conduct, employees must comply with the requirements of the anti-corruption legislation and the plans laid down therein and shall inform the University of any unlawful situation of which they have become aware. In order to protect their confidentiality, the employee may report directly to the Corruption Prevention Officer (CPO), providing any necessary information and relevant documentation.

2. Upon receipt of the preliminary report, the CPO shall act as follows:

- a) if the report needs to be examined in more detail, the CPO shall, within five days, forward the documents to the competent disciplinary bodies and take any other necessary measures, including any arrangements for the protection of the employee who made the report;
- b) if further consideration is not deemed necessary, the CPO shall notify this decision to the employee who made the initial report.

3. In any case, the protection of the employee who reports illicit activities is guaranteed in accordance with Article 54-bis of Italian Legislative Decree No 165 of 30 March 2001. Anyone with knowledge of the report is obliged to maintain confidentiality regarding the identity of the reporter and is must not engage in discriminatory acts against them.

4. The University also ensures confidentiality and protection against discrimination for any individuals who are not employed by the University but have collaborative or study relationships with it. This is to encourage individuals to come forward about corruption.

### **Article 24 – Abuse of position**

1. No member of the academic community is allowed to abuse the rank or authority resulting from their position in order to derive personal benefit or to require others to perform services which are not part of or instrumental to the performance of institutional activities.

### **Article 25 – Protection of confidentiality**

1. Employees are required to keep news and information obtained in the performance of their duties confidential. The only exception to this requirement is in the case of a greater obligation to transparency, or in the overriding need to prevent or report misconduct or any behaviour contrary to this Code and to legislation in general.

In particular, employees undertake to:

- a) respect the confidentiality of persons or entities whose information is held by the University;
- b) not disclose, leak or share data and/or information acquired from participation in academic bodies;



- c) consult only the documents, files, databases and archives to which they have authorised access, make use of them exclusively in accordance with official duties, and allow access only to those entitled to them;
- d) prevent any data leaks by observing the University security measures.

## **Article 26 – Use of the name and assets of the University**

1. Members of the University community may use institutional economic resources in accordance with the rules and regulations. Members must be able to report their efficient and effective use and produce appropriate documentation on request.

2. The University does not allow the use of research or teaching equipment, institutional spaces, or human, material or financial resources for personal, non-institutional or unauthorised purposes. In such cases, the provisions of Article 22 of the Regulation of the University of Trieste governing the procedure for granting authorisation to professors and researchers to work outside the University apply.

All members of the University community are required to respect the good name of the University and to refrain from engaging in conduct that would harm its image and reputation, including through the disclosure of confidential information.

3. Members of the University community:

- a) shall not publicly present their personal views and opinions as the official views of the University. This includes through the use of social media;
- b) shall behave in a way that respects constitutional freedoms, the prestige and image of the University.

4. Any use of the University's name and logo for the dissemination of complete or partial results which are in any way related to activities still in progress or already completed, must not do any disservice to the image of the University.

## **Article 27 – Conduct in private relations**

1. In private relations, employees shall not exploit or mention the position they hold in the University in order to obtain advantages or benefits and shall not engage in conduct which could damage the image or reputation of the University.



## **Section II – SPECIFIC BEHAVIOURAL OBLIGATIONS FOR PROFESSORS AND RESEARCHERS**

### **Article 28 – Institutional duties relating to teaching, research and management activities**

1. Teachers are required to fulfil teaching, research, and management duties as detailed in the university's legislation and regulations.
2. Teachers should avoid any conflict of interest during exams or in other teaching or assessment roles, including as a member of a Board of Examiners.
3. In research activities, professors, researchers, research assistants, PhD students and research fellows are required to comply with the provisions of the Regulation of the University of Trieste on Research Integrity and Ethics, with particular reference to the management of financial sources.
4. For non-institutional activities, professors and researchers are required to comply with legislation and with the University's regulations.
5. The performance of non-institutional activities, even if duly authorised, shall not be accepted as justification for the failure to perform institutional tasks.

## **Section III – SPECIFIC BEHAVIOURAL OBLIGATIONS FOR TECHNICAL AND ADMINISTRATIVE STAFF**

### **Article 29 – Conduct on duty and relations with the public**

1. Without prejudice to compliance with the time limits of administrative procedures, employees shall not, without valid reason, delay work or engage in conduct that would result in making their colleagues responsible for their workload or duties. All activities and decisions should comply with the time limits and quality standards found in the relevant regulations, directives and service charters.
2. Employees shall obtain permission for leave of any kind in accordance with the conditions laid down by law, regulations and collective agreements. They shall ensure their effective presence while on duty, in line with Article 55-*quinquies* of Italian Legislative Decree No 165 of 30 September 2001. Employees shall make proper and diligent use of the time recording systems made available.
3. Employees, in their relations with the public and internal or external users of the University shall:
  - a) maintain proper conduct and professionalism, remaining conscious of representing the University;
  - b) display their institutional badge or other identification medium visibly so that they are recognisable, unless otherwise specified;
  - c) work in a spirit of service, fairness, courtesy and helpfulness. When replying to correspondence, telephone calls and e-mails, they shall work in the most timely, complete and accurate manner possible, making sure replies are clear and comprehensive;
  - d) structure activities in such a way as to ensure quality services for the user;
  - e) carry out their assigned tasks with the required attention, precision, and accuracy. In handling procedures, they respect chronological order unless otherwise required by service needs or priorities established by the University.
  - f) respect commitments and deadlines, manage workloads correctly. This includes not sharing the outcome of their own official decisions or actions (or those of colleagues) in advance of any official dates or deadlines – outside any permitted cases;



- g) issue copies and extracts of documents in accordance with their duties, the rules on access rights, and the regulations of the University;
- h) observe professional confidentiality and the rules on the protection and processing of personal data. If a verbal request for information or documents which are not accessible and protected by professional confidentiality or personal data provisions, the employee shall inform the applicant of the reasons for refusing the request. If employees are unable to deal with a request, they shall ensure that it is forwarded to the competent office, in line with internal provisions.

### **Article 30 – Special provisions for managers**

1. Employees in managerial positions (managers), including holders of specific assignments in accordance with Article 19(6) of Italian Legislative Decree No 165 of 30 September 2001, are subject to the provisions of this Code. Within the structure they are responsible for, managers shall, in particular, observe and monitor compliance with rules on conduct, transparency and anti-corruption, the correct taking of leave and use of permits, incompatibility, and the accumulation of posts and work assignments by the employees.

2. The persons referred to in paragraph 1 shall:

- a) perform their duties diligently and pursue the objectives assigned to them by organizing the time and resources of the structure appropriately;
- b) ensure the fair distribution of workloads within their own structure, taking into account the skills, aptitudes and professionalism of the staff at their disposal;
- c) assign any additional tasks on the basis of individual competences and skills and, as far as possible, in accordance with rotation criteria;
- d) endeavour to promote a results-oriented and productivity-oriented culture within the organisation;
- e) inform the University of any shareholdings and other financial interests which might conflict with their work within the university prior to taking up their duties; They shall also state whether their spouse, cohabitants, or relatives within the second degree of consanguinity or affinity, are engaged in political, professional or economic activities that involve frequent contact with the structure they will be leading or who are involved in decisions or activities related to it. They shall also provide the University with information on their assets and annual income subject to personal income tax provided for by law;
- f) promote well-being within the structure they are responsible for by managing available resources and fostering cordial and respectful relationships among collaborators. They shall take initiative with regards to sharing information, the training and development of personnel, and the inclusion of all staff regardless of gender, age, and other differences in personal circumstances.
- g) contribute to the assessment of staff belonging to the structure to which they are assigned. Assessment shall be impartial and in accordance with the guidelines and specified time frames for measuring and evaluating performance;
- h) take the necessary steps in a timely manner if they become aware of an offence. In the case of an offence, they shall initiate and conclude disciplinary proceedings or report the offence to the disciplinary authority without delay. They shall also provide full cooperation on request, and submit a complaint to the judicial authority or a report to the Court of Auditors without delay, depending on the case. If they are notified of an offence by an employee, they shall take every legal precaution to protect the reporting person and ensure that the whistle-blower's identity is not unduly revealed in disciplinary proceedings, in accordance with Article 54-bis of Italian Legislative Decree No 165 of 2001.
- i) prevent the spread of false information about the organisation, activity and employees as far as they can. They shall promote good practices in order to strengthen a sense of trust in the University.



## **Article 31 – Contracts and other negotiating acts**

1. In the negotiation and conclusion of agreements, contracts, or any other negotiated acts on behalf of the University, as well as in their execution phase, employees shall not engage the services of third-party intermediaries, nor shall they offer or promise benefits to anyone to facilitate the conclusion or execution of a contract. This paragraph shall not apply to cases in which the University has decided to engage in professional mediation.
2. Employees shall not conclude, on behalf of the University, contracts for procurement, supply, service, financing or insurance with companies with which they have concluded contracts in a private capacity or from which they have received other benefits in the previous two years, with the exception of those concluded in accordance with Article 1342 of the Italian Civil Code. Where the University concludes procurement, supply, service, financing or insurance contracts with companies with which the employee has concluded contracts in a private capacity or from which the employee has received other benefits in the previous two years, the employee shall refrain from participating in any decisions and activities relating to the contract. A written record of their abstention shall be drawn up and kept in the records of the office.
3. In the case that an employee concludes any agreements or contracts in a private capacity – with the exception of contracts concluded pursuant to Article 1342 of the Italian Civil Code – with natural or legal persons with whom they have concluded procurement, supply, service, financing or insurance contracts on behalf of the administration in the previous two years, the employee shall inform their superior in writing.
4. If managers find themselves in the situations referred to in paragraphs 2 and 3, they must inform the Director General in writing.
5. In the case that an employee receives verbal or written complaints about the activities of their office or the work of their co-workers from natural or legal persons participating in negotiation procedures in which the University is a party, they shall immediately inform their hierarchical or functional superior. As a general rule, they should do so in writing.

## **Section IV – BEHAVIOURAL OBLIGATIONS FOR STUDENTS**

### **Article 32 – Student duties**

1. Students shall:
  - a) care for movable or immovable property owned or held by the University in any capacity;
  - b) behave in such a way as not to disrupt University activities or the University Community;
  - c) behave in a manner which does not damage the University's image and is not offensive, in any context, to the dignity of other students, teachers, technical and administrative staff, governing bodies or to the University itself. This includes the use of questionnaires for evaluating teaching activities;
  - d) behave in a manner which does not prevent or conceal the detection of disciplinary offences committed by others in any way.
2. It is the right and duty of students to participate actively in teaching and training activities. In such activities they shall adopt cooperative, fair and respectful behaviour towards teachers and any other members of the university community while also promoting and maintaining a culture of honesty, accountability and respect.





3. During examinations and final assessments, students shall not engage in disruptive behaviour or harmful and/or dishonest actions.
4. Without prejudice to criminal liability, the alteration, modification, or counterfeiting of any university documentation constitutes a disciplinary offence.
5. Plagiarism, the copying of any work, and any behaviour that may prevent a proper assessment of the work are contrary to the principles of this Code.

## **CHAPTER IV – BREACHES OF THE CODE, MONITORING AND IMPLEMENTATION**

### **Article 33 – Breach of ethical requirements**

1. Without prejudice to disciplinary, criminal, administrative and accounting responsibilities, breaches of the ethical principles of the academic community (as referred to in Chapter II) shall entail the penalties detailed in paragraph 3 of this Article.
2. In cases where breaches of the Code of Ethics do not constitute a disciplinary offence, the Rector shall propose a response which the Academic Senate shall subsequently decide upon. Any response to a breach shall be made in accordance with the adversarial principle.
3. In the case of a breach in the Code of Ethics, proportional penalties shall be applied. Penalties will also be progressive and escalated as necessary. They may go from a written reprimand recorded in the personal file of the person concerned, to the suspension from official academic positions for one to three years in the event of conduct which, taking into account the circumstances of the case, constitutes a significant or repeated breach of the Code.

### **Article 34 – Ethics Commission**

1. The Ethics Commission:
  - a) investigates tasks with a view to proposing, where appropriate, the adoption of the penalties referred to in Article 33 and may also propose the initiation of disciplinary proceedings;
  - b) advises, develops, investigates, and monitors the implementation of and compliance with this Code;
  - c) facilitates, where possible, the amicable settlement of any disputes.

### **Article 35 – Composition of the Commission**

1. The Ethics Commission is proposed to the Academic Senate and appointed by the Rector. It is composed of five members – one of whom is chosen from outside the University – and two substitutes:
  - a) a member with the function of President, chosen from among full professors;
  - b) an associate professor and a researcher;
  - c) two members from permanent technical and administrative staff.

In cases in which a student is alleged to have breached the Code, or where a student is an injured party, a member put forward by the Student Council and appointed by the Rector shall join the Commission exclusively for the relevant procedure and/or the relevant deliberations.



2. The term of office is three years and may be renewed for an additional term.
3. Participation in the Commission is on a volunteer basis and shall be unpaid. Similarly, no fees, allowances or expenses shall be paid.

### **Article 36 – Acquisition of information and preliminary assessment**

1. Proceedings before the Commission are initiated following a report addressed to the President by the bodies of the University or by members of the academic community or their representatives.
2. Anonymous complaints shall not be considered.
3. The Ethics Commission shall meet when convened by the President to carry out a preliminary assessment. As a general rule, this shall take place within ten days of knowledge of the facts. The President shall establish the date of the preliminary meeting as well as the necessary inquiries to be carried out within that period. The President may also order the summoning of the persons involved in the facts to be heard on that same date.
4. If the report is manifestly unfounded, the Commission shall close the proceedings at that meeting. Otherwise, it shall set the hearing referred to in Article 37 below.
5. During the preliminary evaluation of the facts, in proceedings involving managers, technical and administrative staff or students, if the available elements are deemed sufficient to substantiate an allegation of disciplinary misconduct from the outset, the President of the Ethics Commission shall immediately inform the competent bodies, formulating a reasoned proposal to initiate disciplinary proceedings and transmitting the relevant documents to them.
6. In proceedings concerning teaching staff and researchers, if the evidence available is sufficient to establish a case of disciplinary offence, the President of the Ethics Commission shall immediately inform the Rector thereof, making a reasoned proposal to initiate disciplinary proceedings and shall forward the relevant documents to them.

### **Article 37 – Proceedings**

1. In cases where there is a case of breach in ethical principles, the Commission shall, notify the member of the academic community responsible for the infringement in writing within 30 days from the initial report, specifying therein the date of the meeting. This communication shall be made using any instrument with which correct receipt can be verified, e.g., recorded delivery.
2. There must be at least 10 days between the notification of the charge and the meeting.
3. The person concerned is entitled to assistance from their own representative or by a hired counsel and may lodge pleadings.
4. The Commission shall favour sincere cooperation and reconciliation between members of the academic community in accordance with the rules of the Code.
5. Within 90 days of the date of the first meeting, the Ethics Commission may, on the basis of the information obtained, propose the adoption of the following measures to the Rector:
  - a) archiving the case, where the conduct examined does not contravene this Code;
  - b) a written reprimand to be included in the personal file of the individual concerned;



- c) a written reprimand and suspension from official academic positions for a period of one to three years. This would apply in cases where the conduct constitutes a significant or repeated violation of the provisions of this Code;
- d) initiation of disciplinary proceedings if the cross-examination inquiry confirmed a disciplinary offence. The case must be therefore referred to the Rector or, for technical and administrative staff and students, to the competent university bodies.

### **Article 38 – Breach of behavioural obligations by managers and technical and administrative staff**

1. Without prejudice to cases which also constitute a criminal, civil, administrative, and accounting liability, a breach in the provisions contained in Chapter III of this Code, in the national Code of Conduct, and in the duties and obligations established by the corruption prevention plan, shall lead to disciplinary action for all staff under a private law contract. Such action would be established at the end of the disciplinary proceeding.
2. The applicable penalties are those provided for by law and collective agreements, including expulsion. Any penalties shall be proportional and applied progressively when escalation is necessary. In order to determine the type and extent of a given disciplinary penalty, reference should be made to the information contained in Article 16(2) of the National Code of Conduct.

### **Article 39 – Breach of behavioural obligations by teaching and research staff**

1. Without prejudice to cases which also constitute a criminal, civil or administrative liability, a breach in the general or specific provisions contained in Chapter III of this Code and in the National Code of Conduct by teaching or research staff of the University constitutes misconduct and shall lead to disciplinary action. Such action would be established at the end of the disciplinary proceeding initiated by the Rector.
2. Disciplinary proceedings are conducted in accordance with: Article 10 of Italian Law No 240 of 30 December 2010; Article 23 of the University's Statute; the Rules for the functioning of the Disciplinary Board; the provisions for the conduct of disciplinary proceedings against university professors and researchers.

### **Article 40 – Breach of behavioural obligations by students**

1. Without prejudice to cases which also constitute a criminal and/or civil liability, failure to comply with the provisions of Chapter III of this Code shall lead to possible disciplinary action. Such action is established at the end of the disciplinary proceedings, as detailed in the Regulations of the University on the academic career of students and their respective legal systems.
2. Unless otherwise provided for by law, the disciplinary measures that may be applied are as follows:
  - a) warning;
  - b) temporary disqualification from one or more educational activities;
  - c) exclusion from one or more examinations or any other forms of assessment for a period of up to three months;
  - d) temporary suspension from the University for a maximum of one year.



3. The application of disciplinary measures must be reasonable, fair, proportionate and suitable for the infringement, the course of events, and the assessment of the evidence.

#### **Article 41 – Breaches committed by the Rector**

1. If the Rector breaches this Code, the functions officially assigned to him shall be the responsibility of the University Dean.

#### **Article 42 – Supervision, monitoring and training activities**

1. Without prejudice to the obligation to report any infringement, the Rector, the Director General, and the heads of each structure shall supervise the application of the Code.

2. The University shall organise training initiatives for all staff on ethics and legality, with particular reference to the content of the National Code of Conduct and this Code.

3. The Corruption Prevention Officer is responsible for ensuring awareness of the Code of Conduct within the University.

#### **Article 43 – Implementation and dissemination**

1. Members of the University community are required to read and comply with this Code and to take care, in relation to their role and responsibility, to prevent conduct that constitutes a breach of the rules contained in this Code.

2. The Code is published on the University website, together with the National Code of Conduct.

3. Upon the signing of an employment contract the University shall provide new recruits with a copy of this Code for them to sign. Employees who did not receive and sign a copy of the Code when hired, shall do so upon assignment of a new role.

Please remember that, even though an English translation of this document is available, only the Italian version is legally binding.