



## CODE OF CONDUCT OF THE UNIVERSITY OF PADUA

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### **Art.1** General provisions

1. The following Code of Conduct, hereafter referred to as the "Code", is adopted to implement Legislative Decree No. 165 of March 30, 2001 (Article 54, paragraph 5) and integrates and specifies regulatory provisions pertaining to the Code of Conduct of Public Workers, issued by Decree of the President of the Republic, No. 62 on April 16 2013, thereafter referred to as "National Code of Conduct".

### **Art.2** Applicability

1. The following Code applies to all personnel including temporary and permanent workers, technical and administrative staff, linguistic experts and collaborators, technicians as outlined in Art. 24 bis of Law 240/2010, and managers of the University of Padua.
2. For public law employees (professors and researchers, as described in Art. 3, paragraph 2 of the Legislative Decree No. 165 of September 30 2001), the rules contained in the following Code constitute general principles of conduct with respect to all other applicable regulations, such as the University's Code of Ethics.
3. Where applicable, provisions of the following Code apply to: collaborators or consultants of all contracts, assignments (including instructional), and titles according to Art. 23 Law No. 240 of December 30 2010; collaborators with any company providing goods or services that carry out work for the administration; research and grant contractors referred to in Art. 22 of Law 240/2010; all scholarship and research grant holders; students with collaborative part-time contracts (150 hours); and all other persons not mentioned in the previous categories having a formalized relationship with the University to whom regulations of the Code are applicable.
4. Regarding contracted workers as described in the preceding paragraph, a written clause in agreements terminates the working relationship for those cases determined by the competent Disciplinary Authority to have violated the Code.



5. The use in the present Code of the masculine gender in referring to subjects, assignments and juridical states, refers to both genders and is strictly intended to simplify the text.

### **Art. 3** General principles

1. The employee abides by the Constitution, serves the Nation with discipline and honour, conducts administrative work in accordance with the principles of good or just conduct, executes his duties according to the law and with respect to the public interest, without abuse of position or power of which he is entitled. He is informed of and observes the principles of the legal system.
2. The employee observes the principles of integrity, fairness, good faith, balance, objectiveness, transparency, equity, and reasonableness, and acts with independence and impartiality, avoiding conflict of interest.
3. The employee, as a member of the university community, acts to further the institution's strategic goals and strategies according to the prescribed degree of responsibility and assigned duties.
4. The employee will not use information gained from work for private use, avoids situations or behaviours that could hinder the fulfillment of his duties or harm the interests or image of the University. "Private interests" are defined by the Code to include all aims other than those of the institution or those pertaining to the relationship with the university.
5. The employee carries out his assigned duties and administrative tasks observing economic principles of efficiency and effectiveness. The management and administration of public resources must include cost containment measures without compromising quality.
6. The employee must deliver administrative services equally to all recipients, not causing harm through wrongful actions or prejudice including discrimination based on sex, nationality (or part thereof), ethnic origin, physical features, language, religion or beliefs, personal or political convictions, disability, social or health status, age, sexual orientation, or other personal factors.
7. When interacting with other public administrations, employees should be responsive and cooperative in sharing information and data in a variety of formats including electronic, according to law.

### **Art. 4** Gifts, compensations and other benefits

1. The employee must not solicit gifts or other benefits for himself or on behalf of others.
2. The employee cannot accept for himself or on behalf of others gifts or other benefits except occasionally and of modest value exchanged as a conventional courtesy, or in institutional relations and according to international customs. In carrying out their duties or acting on behalf of other University personnel, employees must not ask for gifts or other benefits for themselves or others (even of modest value) from any individual who might derive benefit in exchange.
3. The employee cannot accept for himself or others, either directly or indirectly, gifts or other benefits (except those of modest value) from subordinates or superiors. With the exception of customary gifts of modest value, the employee must neither directly nor indirectly offer gifts or other benefits to a subordinate or superior.
4. For the purposes of this policy, gifts or other benefits of modest value are those generally valued at less than 150 euro ("discounted" included). The employee cannot receive, neither for himself nor for others, any cash gift or other cash equivalency (coupons, pre-paid cards, phone cards etc.). Over the course of a year, an employee cannot receive two or more gifts or other benefits with a combined value above 150 euro.
5. If an employee receives gifts or other benefits beyond those allowable by this Code, he must notify the University administrator responsible for the prevention of corruption. This must be done immediately and in writing.
6. If gifts or other benefits are received that are unacceptable according to these terms, and when returning them is not possible, they must be consigned to the University within three days of receipt



and no later. The Administration will either make them available to the University or follow procedures concerning the alienation of such movable goods.

7. The employee cannot participate in collaborative projects with private individuals who, during their previous two years of employment with the University, made decisions or carried out actions of significant economic interest in the office he holds. This is defined by the following:

- "collaborative assignments" refers to various jobs and titles (for example, consultant, specialist, mediator, reviewer, attorney, etc.);

- "private individual" refers to all private companies including non-profit ones but excluding those private companies listed as "public" in the Consolidated Economic Accounting Report (per Art. 1, paragraph 3, of Law No. 196 of December 31 2009), companies mainly providing public administration services, or legal entities created within technological transfer activity.

8. The university administrator responsible for the Office of the Prevention of Corruption will oversee the enforcement of this policy.

#### **Art. 5 Membership in associations and organizations**

1. In compliance with current legislation as to the right to association, an employee must immediately notify his supervisor of any membership or association with organizations whose areas of interests may conflict with those of his employment, including those considered confidential. (This does not apply to memberships of political parties or trade unions, or those associations or organizations of a political or collective bargaining nature.) The written notification must be provided within 15 days, and contain essential information about the association and details regarding any potential conflicts. Facts to be included:

- a) date of hiring or job assignment;
- b) date of employment commencement;
- c) date of membership and/or awareness of any potential interference with work activities;
- d) in the case of a transfer or new assignment, the date of any knowledge of a potential conflict;
- e) within 60 days from the adoption of this Code.

2. The public employee cannot pressure co-workers to join associations or organizations with promises or threats to career advancement.

#### **Art. 6 Disclosure of financial interest and conflict of interest**

1. Upon assumption and within 15 working days, the employee must notify the head of his department of all paid collaborations with private entities, both direct and indirect, specifying:

- a) if he himself, any second-degree relative, a spouse or partner, continue to maintain a financial relationship with the named entity;
- b) if any relationship took place or continues to take place with individuals who have an interest in the functions or activities of the department, only in regards to assigned duties.

2. Modes of communication are described in the previous article. For a definition of private subjects (or entities), please see Art. 4, paragraph 7.

3. In cases concerning a potential conflict of interest in conducting work and personal affairs (including those involving a spouse, partner, or second-degree relative), the employee should not undertake the fulfillment of work duties. Conflicts of interest can vary in nature and be non-financial as well as those deriving from political or union pressures, and those of superiors.

4. The policy on conflicts of interest are described in Article 7.

#### **Art. 7 Conflicts of interest and forced abstention**

1. The employee must notify his supervisor if there is any doubt about a potential conflict of interest, however slight, in executing his job responsibilities as specified in Art. 6.

2. The notification must be prompt and in written form, before completing an act, and must include all necessary information to assess the importance of the conflict.



3. Once the information is received and evaluated by the employee's supervisor, a determination will be made on the relative importance of any potential conflict of interest and the need for written notification to the employee of cessation of work.

4. If a conflict involves management, a decision will be made by the General Manager. In the case of a co-worker, a decision will be made by the Rector and General Director of Administration, or by the Department Manager, as stipulated in the Code of Ethics (Art. 2 paragraphs 2 and 3, respectively). Should the conflict concern the General Director, the matter will be referred to the Rector.

#### **Art. 8** Prevention of corruption

1. According to Art. 8 of the National Code of Conduct, an employee is expected to respect all anti-corruption regulations and stipulated measures.

2. Employees have an obligation to report any knowledge of illegal administrative activities to judicial authorities by providing all necessary information and where possible pertinent documentation. In order to protect privacy, the employee should directly notify the administrator of the Office of Prevention of Corruption.

3. Having assessed the essential information, the administrator of prevention of corruption will take the following steps:

- a) if the notification is considered worthy of further investigation, within five days he will refer the case to the appropriate disciplinary authority and will undertake necessary measures to protect the employee who made the notification.
- b) if the case does not warrant further investigation, the employee will be informed.

#### **Art. 9** Transparency and traceability

1. Employees must follow state laws and guidelines for transparency of public administration such as information and data processing and posting on the University's website.

2. Employees are to be aware of and observe policies concerning the University's Three-Year Program of Transparency and Integrity.

3. All Heads of decentralized structures of the University are Officials in charge of Transparency and are partially active in following the procedure and guaranteeing the prompt and true publication of data, reassuring quality, integrity, constant updating, completeness, homogeneity, and easy accessibility to the information as stated in Art. 6 of the legislative ruling No. 33. of March 14 2014.

4. The Official in Charge of Transparency works in strict contact with the Head of Transparency of the University with the objective of coordinating his work with the overall design according to the Three year Plan of Transparency and Integrity.

5. The employee is careful to avoid harming the University's image while carrying out administrative tasks and managing information content for transparency purposes.

6. In carrying out administrative actions utilizing University computer databases to retrieve, update and share information, the employee must use internal data processing procedures and protocols.

#### **Art. 10** Conduct in private relationships

1. In private interactions with public officials at work, the employee shall not inappropriately use his University position to gain unentitled benefits. Accordingly, use of the University's name, label or logo are strictly limited to work-related activities.

#### **Art. 11** Conduct at work

1. Provided justification notwithstanding, the employee is solely responsible for conducting his assigned work in a timely manner and according to established procedures so as not to encumber other workers with his responsibilities.



2. In justifying work absences, the employee must follow approved policies and procedures in accordance with applicable laws, regulations and collective agreements.
3. The employee must practice care, diligence and appropriate use of the University's physical assets such as spaces, furnishings, materials, structures and equipment (including computers and telephones). Except on official business, it is prohibited to transport third-parties in a University-owned vehicle.
4. The employee who represents the University in judicial and extra-judicial controversies, also by delegation through the Legal Council of State, must respect the norms in reference.
5. The employee who uses instrumentation, machines and other equipment, and is trained in doing so, is required to abide by the specific rules, the instructions for usage and use every precautionary measure to avoid risks for his own health, as that of others (Lgs. d. 81/2008).
6. In the course of conducting regular business, an employee assumes the legal obligation for the care and protection of any goods received from the University or other institutions with whom the University has a contractual relationship.
7. The employee should diligently apply IT protocols such as password protections to safeguard the University's computer networks.

**Art. 12 Relations with the public**

1. Unless otherwise instructed, in dealing with the public an employee must always be identifiable by wearing a name tag (a badge) or other form of identification provided by the University. For the general safety of the work environment, the employee should strive to perform duties with a spirit of public service, appropriateness, courtesy, and availability. Communications such as correspondence and emails, or by telephone, should be as timely, responsive, and as accurate as possible. If an employee is not competent or able to satisfy a person's request because it is not of his competence either by duty or matter, he will refer the case to another official or office within the same administration. The employee must carry out all work cases in a chronological order, unless differently conditioned by work situations or a change in priorities assigned by the administration.
2. Except for the right to express opinions or pass on information for trade unions, the employee will refrain from making public and offensive statements against the University.
3. Only authorized individuals can make public declarations on behalf of the University.
4. Employees should be as clear and comprehensive as possible in responding to inquiries; if an inquiry is made by internet, the employee should answer through the same channel and use an appropriate response including standards of timeliness and efficiency. The identity of the sender of the response must be made clear. Unless otherwise justifiable, responses should be prompt except for those related to University administrative proceedings.
5. In executing work activities, the employee should respect time as defined in the set of rules concerning administrative procedures and quality standards.
6. The employee should not make commitments or advance information on the outcome of his or others' decisions or actions pertaining to his office, other than in cases where this is allowed. He must provide publicly available information and updates on administrative matters, pending or resolved. Inquiries can also be referred to the Public Relations Office. In compliance with regulations on the public accessibility of documentation, the employee should make available copies or relevant excerpts.
7. The employee is subject to professional secrecy regarding the confidentiality of personal data. If asked verbally to provide any information, acts, and documents that are deemed confidential or otherwise legally "protected," a refusal with proper justification can be made to the claimant. Inquiries should be referred to the appropriate office if they cannot be fulfilled.



**Art. 13** Special provisions for managers

1. Without prejudice to the application of the other provisions of this Code, the provisions of this article apply to managers, including those holding offices under Article 19, paragraph 6, of Legislative Decree No. 165, September 30 2001.
2. Managers should diligently and professionally carry out their responsibilities.
3. Furthermore, the manager is responsible for ensuring equity in the workplace and in the distribution of workloads. He should ensure periodic meetings are held to improve internal communications and organizational efficiency. He should monitor and correct imbalances in workloads that can accrue over time.
4. Before assuming work, the manager should inform the University of shareholdings or other financial interests that may present a conflict of interest in carrying out public duties. He must declare if he has any relatives (including second degree), a spouse or partner who, as a result of political, professional or economic activities, has frequent contact or is otherwise involved in the affairs of the manager's office. Managers must also provide the University with information on their own financial situation and copies of their personal annual tax filings.
5. The manager must act in a fair and transparent manner and be exemplary and impartial in his relationships with colleagues, collaborators, and with all recipients of administration services. He should ensure that his office's resources are used strictly for institutional purposes and not, under any circumstance, for personal use.
6. The manager is responsible for fostering a healthy workplace under his direction. He does this through promoting: a diverse and inclusive staff (for example in gender, age, ethnicity and social status); courteous and respectful interactions among staff; and initiatives furthering staff trainings relevant to their ability to successfully perform their work.
7. The manager assigns tasks on the basis that the workload is fairly distributed and takes into consideration individual talents, capabilities and professional attitude. He may assign additional duties based on individual merits, and possibly by rotation.
8. The manager must carry out timely staff evaluations with impartiality and apply accepted standards to assess performance.
9. The manager should promptly take necessary measures when aware of an offense or wrongdoing. If he is the competent authority he must initiate and implement any disciplinary action; otherwise, he is to promptly communicate the supposed offense to the Office for Disciplinary Action and, when requested to, provide relevant evidence or reports to judicial authorities or the Court of Auditors. In cases where a manager receives a report of an abuse from a staff member, he must take every precautionary legal measure to ensure that the reporting staff member is protected, and that his identity is not unduly revealed in the disciplinary action pursuant of Art. 54-bis of Legislative Decree No. 165, 2001 and Art. 8 of this Code.
10. The manager should endeavor to prevent the spread of untrue information about the University, its activities and employees. Rather, in an effort to strengthen a sense of confidence in the University, he should impart positive information and examples of good practices.

**Art. 14** Contracts and other negotiated agreements

1. In negotiating and executing contracts on behalf of the University, the employee is prohibited from using a third-party and offering any benefit to that party derived from their role in facilitating the agreement. The present paragraph does not apply to cases where the University has chosen to use professional mediators.
2. Acting on behalf of the University, the employee should not enter into procurement contracts for supplies, services, financing and insurance with companies with whom he has had a contractual relationship for personal purposes or derived benefits during the previous two years, with the exception of those listed in Article 1342 of the Italian Civil Code. If the University employee does



enter into procurement agreements for supplies, services, financing or insurance with companies with which he has held private purpose contracts or has received benefits over the previous two years, the employee should abstain from making any decisions in executing the contract, and a document stating such should be included in office files.

3. With the exception of contracts concluded under Article 1342 of the Italian Civil Code, the employee who has stipulated that over the previous two years he has engaged, on a personal level, in the negotiations of procurement contracts for supplies, services, financing or insurance with individuals or legal entities acting on behalf of the University, must disclose this in writing to the head of management.

4. If a manager finds himself in situations as described in paragraphs 2 and 3, he must communicate this in written form to the General Director.

5. An employee must immediately notify his superior in writing of any verbal or written complaints about his work or that of his colleagues from individuals or legal entities involved in a University contractual relationship.

#### **Art. 15** Supervision, monitoring, and training activities

1. According to Article 54, paragraph 6, of Legislative Decree No. 165, March 30 2001, the supervision and monitoring of the application of the Code shall be ensured by the management of each Area, the Internal Control Structure Department, and the Office for Disciplinary Action.

2. Activities carried out according to this policy should comply with the implementation plan from the Three-Year Plan for the Prevention of Corruption according to article 1, paragraph 2 of Act No. 190, November 6 2012. In addition to the disciplinary functions provided for in Article 55-bis of Legislative Decree No. 165, 2001, the Office for Disciplinary Action shall: update the Code of Conduct for the University; examine reports of proven and sanctioned breaches of the codes of conduct; collect verified and sanctioned cases of illicit conduct and ensure identity protection for those who provided facts relevant in disciplinary actions, as referred to in Article 54-bis of Legislative Decree No. 165, 2001 and Art. 8 of this Code.

The person delegated to Corruption Prevention is responsible for: publicizing the codes of conduct throughout the University; conducting and posting on the University website an annual monitoring report of its application according to Article 54, paragraph 7, of Legislative Decree No. 165, 2001; and communicating the results from monitoring to the National Anticorruption Authority pursuant to Article 1, paragraph 2, of Act No. 190, November 6 2012. As to carrying out the measures described in this policy, the Office of Disciplinary Procedures works with the Head of Prevention as referred in Article 1, paragraph 7, of Act No. 190, of 2012.

3. As to the initiation of disciplinary procedures upon a violation of the Code of Conduct, the University may ask the National Authority of Anticorruption for a voluntary opinion as established by Article 1, paragraph 2, letter d), of Act No. 190 of 2012.

4. The Head of Prevention of Corruption may suggest the dissemination of additional information or newsletters, the organization of seminars to update workers, as all other useful initiatives.

5. In order to prevent, contrast a hypothesis of corruption, meet the void caused by the abstention of an employee in a conflict of interest, guarantee the respect of principles of efficacy and efficiency of administrative action, the University may initiative measures of collaboration with other Administrations.

6. Training activities on transparency and integrity will be offered to the personnel of public administrations, to ensure full knowledge of the content of the Code of Conduct, and as a systematic and annual update on applicable measures and provisions.

7. For cases of conduct contrary to the Code, personnel in the area of public law (defined by Art. 3, paragraph 2, Act No. 165, September 30 2001, professors and researchers), refer to the provisions in Art. 17, paragraph 3.



**Art. 16** Liability for breaches in obligations and duties of the Code

1. Following Art. 16 of the National Code of Conduct, verified breaches of duties and obligations including behaviour contrary to University policies contained in this Code and the University's Three-Year Plan of Prevention of Corruption, can result in the applicable level of disciplinary action consistent with provisions from Lgs. D. 165/2001 and the National Collective Work contracts, and in respect of a gradual approach and proportionate sanctions.

2. Furthermore, breaches of the obligations mentioned above can lead to criminal, civil, administrative, or financial liability for the civil servant.

In order to determine the type and extent of disciplinary action, each violation shall be assessed individually, with regard to the seriousness of the conduct and the extent of the injury resulting from it, including moral, and damage to the respectability and prestige of the University's administration. The applicable penalties are those provided by law, regulations and collective agreements, including dismissal, which can be applied in the cases of breaches of the provisions under article 4, to be considered with regards to degree of seriousness, provided that a gift of non-modest value or other benefits can be directly connected to the fulfillment of an office act or activity, Art. 5, paragraph 2, Art. 14, paragraph 2, first part, assessed according to the first part. The provision in the second part shall also apply in the case of repeated offenses referred to in Art. 4 paragraph 7, Art. 6, paragraph 3, except for purely potential conflicts, and Art. 13, paragraph 10, first part. Collective agreements may provide for additional criteria in applying penalties for types of violations of this Code.

3. Dismissal without notification remains applicable for those cases already covered by law, Act No. 165, Paragraph 1 a), d), e) and f) of September 30, 2001, and other regulations and collective agreements.

4. Additional obligations and liability for civil servants according to laws, regulations, or collective agreements may also apply.

**Art. 17** Final Provisions and Declarations

1. This Code of Conduct is interpreted and enters into force in consideration of the current pro tempore provision.

2. According to Art. 2, paragraph 4 of Law # 240/2010, disciplinary action will be taken for any action that includes a violation of the Code of Ethics.

3. Violations of the norms contained in this Code apply generally to principles of personnel behaviour under public law according to Art. 3, paragraph 2, Act No.165 (professors and researchers), September 30 2001. Sanctions are assessed on a case-by-case basis by the College of Discipline according to Art. 10 of Act No. 240, December 30 2010, unless otherwise indicated.

4. Upon signing a work contract or at the initiation of a job assignment, the University should provide a copy to the new employee, whatever his work relationship, of the present Code of Conduct.

5. This Code is published in the Official Register, and on the University's website and intranet. It is also sent to University workers via email.

6. The current Code is updated annually and becomes effective the day after its publication on the University website. It is applicable for violations committed after its effective date.