

Emanato con D.R. rep. n. 1972 del 10 novembre 2014
Modificato con D.R. rep. n.delnovembre 2021

CODE OF CONDUCT OF THE UNIVERSITY OF PAVIA

The code of conduct, hereinafter referred to as the "Code", defines, pursuant to Art. 54 of Legislative Decree n. 165/2001, the rules of conduct supplementary and / or additional to those contained in the general code of conduct approved by Presidential Decree 62/2013.

Article 1 - General Provisions

GENERAL RULES

The D.P.R. 62/2013 in Art. 1 states:

"1. This Code of Conduct, hereinafter referred to as the "Code", defines, for the purposes of Article 54 of Legislative Decree n. 165 of 30 March 2001, the minimum duties of diligence, loyalty, impartiality, and good conduct that public employees are required to observe.

2. The provisions of this Code are supplemented and specified by the codes of conduct adopted by the individual administrations pursuant to Article 54, subsection 5, of the aforementioned Legislative Decree n. 165 of 2001."

UNIVERSITY RULES:

3. In compliance with the provisions of subsection 2, this Code identifies, based also on the contribution provided by stakeholders, the additional rules of conduct suitable for defining and enhancing the profile and role of employees and workers of the University of Pavia according to canons that comply with the principles of impartiality, good performance, integrity, and exclusivity as enshrined in Articles. 97 and 98 of the Constitution.

4. This Code has been prepared based on the indications and prescriptions contained in the following acts and documents:

- a) Guidelines of the National Anti-Corruption Authority regarding the code of conduct approved by Resolution 177/2020;
- b) Guidelines of the National Anti-Corruption Authority regarding the code of conduct approved by Resolution 75/2013;
- c) The agreement between the government, regions and local authorities for the implementation of Article 1, subsections 60 and 61 of Law n. 190 of 6 November 2012, signed on 24 July 2013;
- d) The National Anti-Corruption Plan approved by resolution of the National Anti-Corruption Authority 72/2013.

Article 2 – Scope of Application

GENERAL RULES

- pursuant to Article 2 of Presidential Decree 62/2013:

"1. This Code applies to employees of the public administrations referred to in Article 1(2) of Legislative Decree n. 165 of 30 March 2001, whose employment relationship is regulated on the basis of Article 2, subsections 2 and 3, of the same decree.

2. Without prejudice to the provisions of Article 54(4) of Legislative Decree of 30 March 2001, n. 165, the rules contained in this Code constitute principles of conduct for the remaining categories of personnel referred to in Article 3 of the aforementioned Decree N. 165 of 2001, in so far as they are compatible with the provisions of the respective regulations.

3. The public administrations referred to in Article 1, subsection 2, of Legislative Decree n. 165 of 2001 extend, as far as compatible, the obligations of conduct provided for in this code to all collaborators or consultants, with any type of contract or assignment and for any reason, to the heads of bodies and offices that directly collaborate with the political authorities, as well as to individuals who, in any capacity, collaborate with companies supplying goods or services and carrying out work for the administration. To this end, in commissioning work or stipulating contracts regarding collaboration, consultancies, or services, the administrations insert specific provisions or clauses for termination or forfeiture of the relationship in case of violation of the obligations deriving from this Code.

4. The provisions of this Code shall apply to the regions with special status and to the autonomous provinces of Trento and Bolzano, in compliance with the powers deriving from the special statutes and the related implementing rules for the organization and collective bargaining with regard to their personnel, their functional bodies, and the local authorities of the respective territory."

UNIVERSITY RULES:

5. This Code applies to all permanent and temporary employees: technical and administrative, linguistic experts and collaborators, and technologists referred to in Art. 24 bis of Law 240/2010, as well as to the directors of the University of Pavia.

6. For professors and researchers (who are regulated by public law as referred to in Article 3, subsection 2 of Legislative Decree n. 165 of 30 September 2001), the rules contained in this Code constitute general principles of conduct, as far as they are compatible with the provisions of the respective legal systems, and in accordance with the principles expressed in the University Code of Ethics.

7. The provisions of this Code also apply, where compatible, to all subjects who maintain relations with the university, in particular, those who have received a teaching assignment pursuant to Art. 23 of L 240/2010; holders of research grant contracts pursuant to Art. 22 of L 240/2010; holders of scholarships and research grants; fixed-term researchers referred to in Art. 24 of L 240/2010; civil service trainees and volunteers; students holding part-time collaborative contracts (150 hours); and any other subject not included in the previous subsections, to whom the legislation extends the application of this Code and related provisions, or who maintain a formal relationship with the university.

8. For the purposes referred to in the previous subsection, in contracts or acts of appointment to an office or role, or in a specific additional agreement, a special clause for termination of the relationship or a clause of forfeiture of office is inserted by the competent body in case of violation of the obligations deriving from this Code, as ascertained by the competent disciplinary authority.

9. In particular, in the awarding of contracts for the supply of services and work by the competent body, a clause must be inserted by virtue of which the supplier company, under penalty of termination of the contract, is required, in case of violation of the provisions of this Code by its employees and collaborators, to take measures to eliminate the illegal situation reported by the University of Pavia and to prevent the recurrence of violations of the Code.

Article 3 – General Principles

- pursuant to Article 3 of Presidential Decree 62/2013:

"1. The employee shall observe the Constitution, serving the nation with discipline and honor and conforming his conduct to the principles of good performance and the impartiality of administrative actions. The employee shall perform his or her duties in compliance with the law, pursuing the public interest without abusing the position or powers he or she is entrusted with.

2. The employee shall also respect the principles of integrity, fairness, good faith, proportionality, objectivity, transparency, fairness, and reasonableness, and shall act independently and impartially, recusing himself in the event of any conflict of interest.
3. The employee shall not use the information available at work for private purposes and shall avoid situations and behavior that may hinder the proper performance of tasks or harm the interests or image of the public administration. Public prerogatives and powers shall be exercised solely for the purposes of the general interest for which they have been conferred.
4. The employee shall exercise his duties by directing administrative actions to achieve the maximum economic efficiency and effectiveness. The management of public resources for the purpose of carrying out administrative activities must follow a logic of cost containment which does not affect the quality of the results.
5. In their relations with beneficiaries of the administrative actions, employees shall ensure full and equal treatment, while also refraining from arbitrary actions which have negative effects on the recipients or entail discrimination based on sex, nationality, ethnic origin, genetic features, language, religion or religious beliefs, personal or political beliefs, membership in a national minority, disability, social or health conditions, age, sexual orientation, or other distinguishing factors.
6. The employee shall provide the maximum availability and collaboration in relations with other public administrations, ensuring the exchange and transmission of information and data in any form, including telematics, in compliance with current legislation."

UNIVERSITY RULES:

7. The employee should know and abide by the Constitution, the constraints deriving from the community regulations, the university statutes and regulations, and the present Code.
8. The worker, 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 university rules and the functions assigned to the employee.
9. Within the context of this Code, the "private aims" referred to in subsection 3 above include any aim, other than the institutional one, that is relevant to the relationship with the university.

Article 3 (2) – General Principles of Agile Working

1. The agile employee will always behave according to the principles of diligence, correctness, and good faith and, compatibly with the peculiarities and methods of carrying out his or her functions, is required to abide by what is indicated in this Code of Conduct.
2. The agile worker collaborates in all phases of management and in the implementation of his individual project, carries out his activities while guaranteeing the expected results, provides periodic and accurate reporting of the activities carried out in the established manner and time frame, and guarantees his availability during the established hours and using the defined means.
3. The agile employee will comply with the rules and adopt the organizational, technical, and security measures provided for regarding the confidentiality and protection of the data used and processed while carrying out his or her responsibilities.
4. The agile worker shall comply with the rules on safety and health in the workplace and adopt the principle of reasonableness in the choice of workplace, avoiding places, environments, and situations that may give rise to personal danger to his or her health and safety or that of third parties.

Article 4 – Gifts, Compensation, or Other Benefits

GENERAL RULES

- pursuant to Article 4 of Presidential Decree 62/2013:

- "1. The employee shall not ask, or solicit, gifts or other benefits for himself or for others.
2. The employee shall not accept, for himself or for others, gifts or other benefits, except those of modest value used occasionally in situations of normal courtesy and in the context of international customs. In any case, whether or not the fact constitutes a crime, the employee will not request, for himself or for others, gifts or other benefits, even of modest value, as consideration for performing or having performed an act of his office from subjects who can benefit from decisions or activities related to the office, or from subjects for whom he is or is about to be called to carry out or exercise activities or authority proper to his office.
3. The employee shall not directly or indirectly accept, for himself or for others, gifts or other benefits from his subordinates, except those of modest value. The employee will not offer, directly or indirectly, gifts or other benefits to his superiors, except those of modest value.
4. Gifts and other benefits received outside the cases permitted by this article shall immediately be handed over, by the same employee to whom they were received, to the administration for restitution or donation for institutional purposes.
5. For the purposes of this article, gifts or other benefits of modest value are those with a value not exceeding approximately €150, including in the form of a discount. The codes of conduct adopted by the individual administrations may provide for lower limits, even the exclusion of gifts or benefits of any value, in relation to the characteristics of the institution and the type of functions involved.
6. The employee shall not accept collaborative positions from private subjects who have, or have had in the previous two years, a significant economic interest in decisions or activities related to the office to which the employee belongs.
7. To preserve the prestige and impartiality of the Administration, the head of the office shall ensure that this article is properly applied."

UNIVERSITY RULES:

8. In relations with third parties, the employee must behave in such a way as to discourage and prevent, through correct information regarding his duties, any practice such as the offering of gifts or other benefits which does not respect the principles of integrity and impartiality.
9. The total value of gifts and benefits of modest value, referred to in subsections 3 and 5 above, received by a worker over a one-year period must not exceed €150, approximately. The employer may not receive, for himself or for others, any gift in the form of cash or any other payment instrument (vouchers, credit for prepaid cards, telephone cards, etc.).
10. Outside the permitted cases and whenever there is doubt about their value, gifts and other benefits must be refused by the employee, who is responsible for returning them, directly or through the administration, to the sender, giving notice to the Head of Corruption Prevention. The communication must be made promptly in writing.
11. Failure to comply with the preceding subsection shall result in disciplinary liability.
12. For the purposes of this article, subsection 6 is specified as follows:
 - "collaborative assignments" means assignments of any type and for any reason (by way of example, and not exclusively: as a consultant, expert, arbitrator, auditor, attorney, etc.);
 - "private entities" means any private entity, including non-profit entities, with the exception of private entities included in the List of Public Administrations (and included in the consolidated income statement, identified pursuant to Article 1, subsection 3, of Law n. 196 of 31 December 2009), entities with majority ownership by a public administration, and legal entities formed in the context of technology transfer activities.
13. The Head of Corruption Prevention shall supervise the correct application of this article.

Article 5 – Participation in Associations and Organizations

GENERAL RULES

- pursuant to Article 5 of Presidential Decree 62/2013:

"1. In compliance with the regulations in force on the right of association, the employee shall promptly notify the head of the office to which he belongs of his membership in associations or organizations, regardless of their confidential nature or not, whose areas of interest may interfere with the performance of the duties of his position. This subsection shall not apply to membership in political parties or trade unions.

2. The civil servant shall not compel other employees to join associations or organizations or exert pressure to that end by promising advantages or career disadvantages."

UNIVERSITY RULES:

3. The communication referred to in subsection 1 above, which must contain the essential data relating to the association and the reasons for potential interference, shall be made in writing within 15 days:

- (a) from the start or the assignment of the job position;
- (b) upon entering into service in the position;
- (c) upon taking up membership or having knowledge of the potential interference that may occur with the activities of the unit the employee is assigned to;
- (d) in the case of transfer or knowledge of being assigned elsewhere;
- e) within 30 days of the entry into force of this Code.

Article 6 – Communication of Financial Interests and Conflicts of Interest

GENERAL RULES

- pursuant to Article 6 of Presidential Decree 62/2013:

"1. Without prejudice to the obligations of transparency provided for by the laws or regulations, the employee, at the time of assignment to his unit, shall inform the office manager in writing of all direct or indirect collaborative relationships with private subjects which are paid in any way and that have taken place in the last three years, specifying:

a) if he himself or his second-degree relatives or relatives-in-law, his spouse or cohabitant still has financial relations with the person with whom he had the aforementioned collaborative relationships;

(b) whether such relations have existed or exist with persons who have interests in activities or decisions relating to the employee's office, limited to the matters entrusted to him.

2. The employee shall refrain from making decisions or carrying out activities related to his duties in situations of conflicts of interests, even potential, regarding himself, his spouse, cohabitants, or second-degree relatives or relatives-in-law. The conflict can concern interests of any nature, even non-patrimonial, such as those deriving from the intent to participate in pressures from political or trade union groups, or from hierarchical superiors."

UNIVERSITY RULES:

3. The employee shall communicate the conflicts of interest described above in writing to his unit manager within 15 days, as described in subsection 1.

4. The communication shall follow the format referred to in the previous article. For the definition of private subjects, please refer to Article 4, subsections 6 and 12.

Article 7 – Employee Obligation to Recuse Himself

GENERAL RULES

- pursuant to Art. 7 of Presidential Decree 62/2013:

"1. The employee shall refrain from participating in the adoption of decisions or activities that may involve his own interests, those of his second-degree relatives-in-law, his spouse or cohabitants, persons with whom he has relationships of habitual frequentation, subjects or organizations with which he or his spouse has a pending lawsuit, serious enmity, significant credit or debt relationships, subjects or organizations of which he is a guardian, curator, attorney, or agent, or bodies, associations, even if not officially recognized, committees, companies, or establishments of which he is an administrator, director or manager. In any event, the employee shall recuse himself from participating in any other case in which there are serious questions of propriety. The head of the office to which the employee is assigned shall decide on recusal."

UNIVERSITY RULES:

2. The worker shall inform the manager of the office to which he belongs, or in any case the individual in charge of the procedure, of a conflict, even potential, between the activities of his office and a personal interest or one that concerns the other subjects indicated in the previous Art. 6.

3. The communication shall be made promptly in writing before any action is taken and shall contain all information relevant for assessing the seriousness of the conflict.

4. The head of the office to which the employee belongs, or in any case the individual in charge of the procedure, shall rule, once the necessary information has been obtained, on the relevance of the conflict of interest, adopting the consequent measures allowed under his authority. The head of office shall respond in writing to the employee, relieving him of his assignment or expressly giving reasons for the performance of the activity by the same.

5. If the conflict concerns a manager or another employee referred to in Art. 2, the decision will be taken by the director general and the head of the office in question, based on what is established in the Code of Ethics; if the conflict concerns the director general, the decision is taken by the Chancellor.

6. Violation of this rule shall lead to disciplinary measures.

7. The recusal must be noted in a special register, without indication of the causes for the decision, and all the statements and related answers must be transmitted, in full, to the Head of Corruption Prevention, who is responsible for the maintenance of the relative archive.

8. The procedure for the communication, evaluation, and closure of cases of recusal defined in this article must also be followed in additional cases of conflict of interest provided for in other regulatory provisions (for example, those provided for in Article 6 (part 2) of Law 241/1990), for which no specific procedures are defined.

Article 8 – Prevention of Corruption

GENERAL RULES

- pursuant to Article 8 of Presidential Decree 62/2013:

"1. The employee shall comply with the measures necessary for the prevention of wrongdoing in the administration. In particular, the employee shall comply with the provisions contained in the plan for the prevention of corruption, collaborate with the person responsible for the prevention of corruption, and, without prejudice to the obligation to report to the judicial authority, report to his hierarchical superior any situations of wrongdoing in the administration of which he has become aware."

UNIVERSITY RULES:

2. All workers are required to participate and collaborate actively in the implementation of the corruption prevention policy and the risk management process, lending their full and timely collaboration to the manager and those responsible for the prevention of corruption, responding promptly and completely to their requests.

3. The managers of the various university areas:

a) shall promote, for their area of interest and through concrete actions and initiatives, the dissemination of a culture of legality and respect for the rules in general;

b) shall promote, each for his own area of interest, the full and motivated involvement of all employees in the implementation of the strategy to combat and prevent corruption, including the mapping of processes, the identification, analysis, and assessment of risks, and the proposal and definition of prevention measures;

c) shall contribute to defining suitable measures to prevent and combat corruption and to verify compliance with said measures by employees in the unit the managers are in charge of;

(d) shall provide the information requested by the competent entity for the identification of the activities where the risk of corruption is highest and make specific proposals aimed at preventing such risk;

(e) shall monitor the activities in their units where the risk of corruption is highest, ordering, by means of a justified action, the rotation of staff in the event of the initiation of criminal or disciplinary proceedings for corrupt conduct;

f) shall fulfill and supervise the observance and implementation, in the units in question, of the obligations deriving from the three-year plan for the prevention of corruption adopted by the University of Pavia.

4. The obligation to report any suspect actions as referred to in subsection 1 is also fulfilled by reporting to the Head of Corruption Prevention or to the other subjects identified in the appropriate procedure for reporting offenses by public employees (whistleblowing), proposed by the Head of Corruption Prevention and adopted by this Administration to implement the provisions of Art. 54 (part 2) of Legislative Decree 165/2001, introduced by Art. 1, subsection 51, of L 190/2012.

5. The worker who in good faith reports offenses or irregularities, pursuant to the aforementioned Art. 54 (part 2), is afforded strong protection both through the guarantee of anonymity within the limits established by Art. 54 (part 2) and the prohibition of any form of discrimination or retaliation.

6. All those who, by reason of their position or any other reason, become aware of a report are required to maintain the utmost confidentiality about its content and the identity of its author. The improper dissemination of such data is subject to disciplinary proceedings pursuant to Art. 16, and, where the circumstances warrant, criminal liability for "disclosure of official secrets", pursuant to Art. 326 of the Criminal Code.

Article 9 - Transparency and Traceability

GENERAL RULES

- pursuant to Article 9 of Presidential Decree 62/2013:

"1. The employee shall fulfill the transparency obligations for public administrations according to the regulations in force, providing maximum collaboration in the processing, retrieval, and transmission of data subject to the obligation of publication on the institutional website.

2. The traceability of the decision-making processes adopted by employees must, in all cases, be guaranteed through adequate documentary support, which allows for replicability at all times."

UNIVERSITY RULES:

3. The university shall provide training to employees on the provisions contained in the Three-Year Corruption Prevention Program and the support and information necessary to implement the program and take the actions contained therein.
4. The worker shall schedule his activity according to the principles of transparency and ensure the maximum traceability of decision-making processes.
5. The worker shall take particular care in carrying out transparent administrative actions and in managing the contents of the information in his possession to avoid damage to the image of the university.
6. To guarantee continuity in the employee's job responsibilities, as well as the availability, traceability, and sharing of information, the employee shall use, where provided, the university's IT tools, following the archiving methods provided for by internal procedures.
7. The employee shall pay particular attention to the production and publication of data in open format, pursuant to Art. 7 of Legislative Decree 33/2013.
8. The heads of the units shall verify that the final work-related documents contain the information necessary to reconstruct all stages of the procedures.

Article 10 - Conduct in Private Relationships

GENERAL RULES

- pursuant to Article 10 of Presidential Decree 62/2013:

"1. In private relations, including non-working relations with public officials in the performance of their duties, employees shall not exploit or mention their position in the administration to obtain benefits that do not pertain to them, or engage in any other conduct which may harm the image of the administration."

UNIVERSITY RULES:

2. In relations with other public sector bodies, including non-working relations with public officials or public service representatives in the performance of their duties, the worker shall:
 - (a) not offer help with office tasks in exchange for help with his own work;
 - (b) not ask to speak with the superiors of the employee or official who is following the private matter of the employee, thereby leveraging his hierarchical position within the university;
 - c) not disseminate information or make comments, within the limits of freedom of expression, deliberately designed to harm the image or integrity of colleagues, their superiors, directors, or the organization in general.To this end, the employee may not use the name, trademark, and logo of the university except for official work activities.
3. The worker shall be bound by official secrecy. In private relationships with other entities or private subjects, including participation in websites and social networks, excluding professional relationships and informal exchanges with colleagues of other public bodies, the worker:
 - (a) shall not reveal specific content regarding tender procedures, employee-selection procedures, or other procedures involving personnel selection for the purpose of obtaining contracts for employment, the provision of services or supplies, special treatment, and benefits in general;
 - (b) shall not disseminate the results of proceedings before they are concluded.

Article 11 – Relations with the Public

GENERAL RULES

- pursuant to article 12 of Presidential Decree 62/2013:

"1. In relations with the public, the employee shall identify himself through the visible display of a badge or other identification made available by the administration, unless otherwise provided for by the activity in question, also in consideration of the safety of employees; the employee shall also demonstrate a spirit of service, correctness, courtesy, and availability and, in answering correspondence, telephone calls, and e-mail messages, operate in the most thorough and accurate way possible. Where he is not competent by position or subject matter, he shall refer the person in question to the competent official or office of the same administration. The employee, without prejudice to the rules on professional secrecy, shall provide any explanations required of him as to his own behavior and that of other employees of the unit he oversees or coordinates. In carrying out his functions and procedures, the employee shall respect, except for situations or levels of priority established by the administration, the chronological order of the requests and not refuse, for generic reasons, services he is required to provide.

The employee shall respect appointments with the public and respond without delay to their complaints.

2. Without prejudice to the right to express evaluations and disseminate information to protect trade union rights, the employee shall refrain from public statements offensive to the administration.

3. The employee who works in an administration that provides services to the public shall comply with the quality and quantity standards set by the administration, including those set out in the appropriate service charters. The employee shall ensure the continuity of the service, allow users to choose between the different providers, and provide them with information on how the service is provided and its quality.

4. The employee shall not make any commitments or anticipate the outcome of his or others' decisions or actions in the unit, outside of those cases permitted under the Code. He shall provide information and news relating to administrative acts or operations in progress or concluded, in the cases provided for under the provisions of the law and under the regulations concerning access to such information, always informing the interested parties of the possibility to refer to the Public Relations Office.

He shall issue copies and extracts of deeds or documents under his purview, in the manner established by law regarding access to information and administrative regulations.

5. The employee shall observe professional secrecy and abide by the legislation on the protection and processing of personal data and, when requested to provide information, documents, and official acts which are not accessible and protected by professional secrecy or by the provisions on personal data, shall inform the applicant of the reasons preventing the request from being satisfied. When the request is not part of his area of competence, he shall ensure, based on internal provisions, that the request be forwarded to the competent office of the same administration."

UNIVERSITY RULES:

6. The worker shall maintain an adequate demeanor and professionalism in relations with the public and with users.

7. Only those authorized to do so may issue public statements on behalf of the university.

Article 12 - Special Provisions for Managers

GENERAL RULES

-pursuant to Article 13 of Presidential Decree 62/2013:

"1. Without prejudice to the application of the other provisions of the Code, the rules of this article shall apply to managers, including those with responsibilities that fall under Article 19(6) of Legislative Decree No 165 of 2001 and Article 110 of Legislative Decree No 267 of 18 August 2000, to persons performing functions equivalent to those of managers in units that collaborate directly

with political authorities, and to individuals in organizational positions in institutions without management positions.

2. The manager shall diligently perform his functions based on his assigned responsibilities, pursue the assigned objectives, and behave in a manner appropriate to the performance of the tasks.

3. The manager, before taking up his duties, shall inform the administration of shareholdings and other financial interests which may place him in conflict of interest with the civil service he performs and shall declare whether he has second-degree relatives or relatives-in-law, or a spouse or cohabitant who exercise political, professional, or economic activities which place them in frequent contact with the office to be directed or who are involved in the decisions or activities relating to the office. The manager shall provide information on his financial situation and his annual income that is subject to personal income tax as required by law.

4. The manager shall be loyal and transparent in his behavior and adopt an exemplary and impartial attitude in relations with colleagues, collaborators, and the recipients of administrative actions. The manager will also ensure that the resources assigned to his office are used exclusively for institutional purposes and, in no case, for personal needs.

5. Compatible with the available resources, the manager shall look after the organizational well-being in the structure to which he is assigned, favoring the establishment of cordial and respectful relationships among collaborators, take initiatives aimed at the circulation of information, at the training and updating of personnel, and at the inclusion and enhancement of individuals who differ in gender, age, and personal conditions.

6. The manager shall assign duties based on a fair distribution of the workload, taking into account the skills, aptitudes, and professionalism of his staff. The manager shall entrust the additional tasks based on professionalism and, as far as possible, according to rotation criteria.

7. The manager shall evaluate the personnel assigned to his structure with impartiality, respecting the prescribed guidelines and time frameworks.

8. The manager shall promptly take the necessary measures if he is aware of an offense, and initiate and conclude, if it is within his sphere of competence, the disciplinary procedure, or promptly report the offense to the disciplinary authority, collaborating where required and providing for the timely forwarding of complaints to the criminal judicial authority or reporting to the Court of Auditors based on their respective competences. In the event he receives a report of an offense by an employee, he shall take every legal precaution so that the whistleblower is protected and his identity not wrongfully revealed during the disciplinary proceedings, pursuant to Article 54 (part 2) of Legislative Decree n. 165 of 2001.

9. Within the limits of his possibilities, the manager shall prevent the spread of baseless news regarding the organization, its activities, and its public employees. He shall foster the dissemination of knowledge of good practices and good examples to strengthen the sense of trust in the administration."

UNIVERSITY RULES:

10. The manager, at the time of his assignment to the structure, shall communicate to the head of the organization as provided for in subsection 3 of this article. Any change in the circumstances being communicated must be promptly made known to the same subjects.

11. Managers are especially expected to observe and supervise compliance with disciplinary, transparency, and anti-corruption regulations regarding absences and furloughs, incompatibility, and the cumulation of jobs and work assignments by employees of the structure in question.

12. Managers shall diligently carry out their duties and, in pursuing the assigned objectives, adopt appropriate organizational behavior.

13. Managers shall also ensure a fair distribution of workloads within their own structure; promote periodic meetings to optimize work through dialogue and an exchange of ideas; and monitor and remove any deviations regarding the workloads due to the negligence of some employees.

14. In the event they receive a report of an offense by an employee, managers shall take every legal precaution so that the whistleblower is protected and his identity is not wrongfully revealed in the disciplinary proceedings, pursuant to Article 54 (part 2) of Legislative Decree 165/2001 and in the application of the related procedure for reporting offenses.

Article 13 – Contracts and Other Negotiating Acts

GENERAL RULES

-pursuant to article 14 of Presidential Decree 62/2013:

"1. In concluding agreements and negotiations and contracts on behalf of the administration, as well as in the execution phase of the same, the employee shall not resort to third-party mediation or correspond or promise any benefit for any intermediation, or to facilitate or have facilitated the conclusion or execution of the contract. This subsection shall not apply to cases where the administration has decided to avail itself of professional intermediation.

2. The employee shall not conclude, on behalf of the administration, project contracts or contracts regarding supplies, services, financing, or insurance with undertakings with which he has concluded contracts in a private capacity or received other benefits in the preceding two years, except for those concluded pursuant to Article 1342 of the Civil Code. In the event the administration concludes project contracts or contracts regarding supplies, service, financing, or insurance, with companies with which the employee has concluded contracts in a private capacity or received other benefits in the previous two years, he shall refrain from participating in any decisions and activities relating to the execution of the contract, drafting a written communication of such abstention to be kept in the office records.

3. Employees who conclude agreements or stipulate or negotiate contracts in a private capacity, with the exception of those concluded pursuant to Article 1342 of the Civil Code, with private natural or legal persons with whom they have concluded, in the previous two years, project contracts or contracts for supplies, services, financing, and insurance on behalf of the administration, shall inform the office manager in writing.

4. If the manager finds himself in the situations referred to in subsections 2 and 3, he shall inform in writing the head manager in charge of personnel management.

5. An employee who receives, from natural or legal persons participating in negotiation procedures in which the administration is a party, oral or written complaints about the work of the office or that of his collaborators, shall immediately inform his hierarchical or functional superior, as a rule in writing."

UNIVERSITY RULES:

6. Regarding the situations referred to in subsection 2 above, the provisions in Art. 7, subsections 2 to 5 of this Code shall apply, which are established in general for all cases of recusal due to conflict of interest.

7. Regarding the measures for the awarding of and authorization to stipulate the contracts referred to in subsection 2 above, the manager proposing or responsible for adopting them shall certify the non-existence of the situations of incompatibility provided for in this article.

Article 14 - Supervision, Monitoring, and Training Activities

GENERAL RULES

- pursuant to article 15 of Presidential Decree 62/2013:

"1. Pursuant to Article 54(6) of Legislative Decree n. 165 of 30 March 2001, the managers responsible for each structure, for the internal control structures, and for the ethics and disciplinary

offices shall supervise the application of this Code and the codes of conduct adopted by the individual administrations.

2. For the purposes of the supervision and monitoring activities provided for in this article, the administrations shall make use of the disciplinary proceedings office established under Article 55 (part 2), subsection 4, of Legislative Decree n. 165 of 2001, which also performs the functions of any existing ethics committees or offices.

3. The activities carried out pursuant to this article by the disciplinary proceedings office shall comply with any provisions contained in the corruption prevention plans adopted by the administrations pursuant to Article 1, subsection 2, of Law n. 190 of 6 November 2012. The disciplinary proceedings office, in addition to the disciplinary functions referred to in Article 55 (part 2) et seq. of Legislative Decree n. 165 of 2001, shall update the code of conduct of the administration, exam reports of code of conduct violations, and collect instances of ascertained and sanctioned illegal conduct, thereby ensuring the guarantees referred to in Article 54 (part 2) of Legislative Decree n. 165 of 2001. The person responsible for the prevention of corruption is charged with disseminating knowledge of the codes of conduct throughout the administration and annually monitoring their implementation, pursuant to Article 54, subsection 7 of Legislative Decree n. 165 of 2001, and publishing the results of the monitoring on the institutional website and communicating this to the National Anti-Corruption Authority, referred to in Article 1, subsection 2, of the Law of 6 November 2012, n. 190. To carry out the activities provided for in this Article, the disciplinary proceedings office shall work together with the head of the prevention of corruption referred to in Article 1, subsection 7, of Law n. 190 of 2012.

4. To initiate disciplinary proceedings for code of conduct violations, the Disciplinary Proceedings Office may request an optional opinion from the National Anti-Corruption Authority in accordance with the provisions of Article 1(2)(d) of Law n. 190 of 2012.

5. Training activities on transparency and integrity shall be provided to the staff of the public administrations; these will enable employees to obtain a full knowledge of the contents of the code of conduct as well as an annual and systematic update on the measures and provisions applicable in these areas.

6. The regions and local authorities shall define, within the bounds of their organizational autonomy, the guidelines necessary for the implementation of the principles referred to in this Article.

7. The implementation of the provisions of this Article shall not result in new or increased burdens on public finances. The administrations shall meet the obligations spelled out in this article by means of the human, financial, and instrumental resources available under current legislation."

UNIVERSITY RULES:

8. The subjects referred to in subsection 1 Art. 13 shall supervise the application of the provisions of this Code. As part of the fact-finding and supervisory activities, even before the contestation of the charges, the Disciplinary Authority shall have access to every act and can acquire any relevant information.

9. The activities carried out pursuant to this article shall comply with any provisions contained in the Triennial Plan for Corruption Prevention adopted by the university pursuant to Article 1, subsection 2 of Law n. 190/2012.

10. The Disciplinary Proceedings Office, in addition to the functions referred to in Art. 55 (part 2) et seq. of Legislative Decree 165/2001, shall examine reports of code of conduct violations and collect ascertained and sanctioned illegal conduct, thereby ensuring the guarantees referred to in Art. 54 (part 2) of the same Legislative Decree 165/2001.

11. The head of Corruption Prevention shall, through specific training meetings, disseminate knowledge of the codes of conduct throughout the university, annually monitor their implementation, pursuant to Article 54, subsection 7 of Legislative Decree 165/2001, publish the

results of the monitoring on the institutional website, and communicate these to the National Anti-Corruption Authority, referred to in Article 1, subsection 2, of Law 190/2012.

12. The Disciplinary Proceedings Office, in liaison with the head of Corruption Prevention, shall provide assistance and advice to employees on the correct implementation and application of the rules of this Code.

13. The head of Corruption Prevention may propose preparing information and circulars, organizing refresher seminars for workers, and any other useful initiative.

14. To prevent and combat potential instances of corruption, and to follow up on the related obligations following the recusal of employees due to conflicts of interest, the university, to ensure compliance with the principles of efficiency and effectiveness in administrative action, may collaborate with other administrations.

15. In the event of conduct contrary to the principles contained in this Code by personnel subject to the system of public law pursuant to Art. 3, subsection 2 of Legislative Decree 165/2001 (professors and researchers), see the provisions of the following Art. 17, subsection 7.

Article 15 - Liability Resulting from the Violation of the Duties of the Code

GENERAL RULES

- pursuant to article 16 of Presidential Decree 62/2013:

1. The violation of the obligations provided for in this Code integrates behavior contrary to the duties of office. Without prejudice to cases where the violation of the provisions contained in this Code, and of the duties and obligations provided for in the corruption prevention plan, also gives rise to criminal, civil, administrative, or accounting liability of the public employee, such a violation entails disciplinary responsibility ascertained at the end of a disciplinary procedure, in compliance with the principles of the gradualness and proportionality of sanctions.

2. To determine the type and extent of any disciplinary sanction, the violation is evaluated in each individual case regarding the seriousness of the behavior and the extent of the prejudice, including moral, which negatively impacts the decorum or prestige of the administration. The applicable sanctions are those provided for by law, regulations, and collective agreements, including expulsions that can be applied only in cases, judged in relation to their gravity, of violation of the provisions of Article 4, if the non-modicum nature of the value of the gift or other benefits are immediately associated with the performance of an act or activity typical of the office, and of Article 5, subsection 2, 14, subsection 2, first sentence, assessed in accordance with the first sentence. The provision in the second sentence also applies in cases of recidivism regarding the offenses in Articles 4, subsection 6, 6, subsection 2, excluding purely potential conflicts, and 13, subsection 9, first sentence. Collective agreements may provide for additional criteria for identifying the penalties applicable in relation to the types of infringements of this Code.

3. Dismissal without notice for cases already provided for by law, regulations, and collective agreements remains unchanged.

4. Additional obligations and the possibility of disciplinary responsibility for public employees provided for by law, regulation, or collective agreements remain unchanged.

UNIVERSITY RULES:

5. Pursuant to the provisions of subsection 1, the violation of the obligations provided for in this Code as well as of the duties and obligations provided for by the National Anti-Corruption Plan and the Three-Year Plan for the Prevention of Corruption of the university supplements conduct contrary to the duties of office and determines disciplinary responsibility, which is ascertained at the end of a disciplinary procedure, in compliance with the principles of the gradualness and proportionality of sanctions, in accordance with the provisions of Legislative Decree 165/2001 and the National Collective Labor Agreements, where applicable.

6. All employees are required to comply with the regulations, the general and specific procedures, the operating instructions, and any other provision of the administration contained in the acts, however denominated (circulars, directives, guidelines, and so on); and, if the employees are enrolled in professional registers, they are required to comply with, in the exercise of the related activities, the rules established in the codes of conduct of the respective orders, whose contents must be considered automatically noted and included as an integral part of this Code.

Article 16 - Final Provisions and Revocations

GENERAL RULES

- pursuant to Article 17 of Presidential Decree 62/2013:

"1. The administrations shall give the widest dissemination to this decree, publishing it on their institutional website and intranet, as well as transmitting it by e-mail to all their employees and to the holders of consultancy or collaboration contracts of any kind, including professional, to the heads of bodies and offices that directly collaborate with the political heads of the administration, and to collaborators in any capacity, including professional, of companies providing services to the administration. At the same time as the signing of the employment contract or, in the absence of a contract, at the time the assignment is conferred, the administration shall deliver and have the new appointees sign, with relationships explicitly stated, a copy of the code of conduct.

2. The administrations shall give the widest dissemination to the codes of conduct pursuant to Article 54, subsection 5 of the aforementioned Legislative Decree n. 165 of 2001, according to the same procedures provided for in subsection 1 of this article.

3. The decree of the Minister for the Civil Service of 28 November 2000 on the "Code of Conduct for Employees of Public Administrations", published in the Official Gazette n. 84 of 10 April 2001, is repealed.

The present decree, bearing the state seal, will be included in the Official Collection of Normative Acts of the Italian Republic. It is obligatory for everyone to observe and enforce it."

UNIVERSITY RULES:

4. The head of Corruption Prevention, with the support of the structure responsible for communication, shall ensure the widest dissemination of this code, publishing it in the Official Register and on the institutional website of the university, promoting training meetings on its content, and transmitting it by e-mail to all employees, whether they hold permanent or temporary positions, are technical-administrative staff or teachers, the holders of consultancy or collaboration contracts in any capacity, including professional, the heads of bodies and offices that directly collaborate with top management, and employees and collaborators in any capacity of companies providing services to the administration.

5. The university, at the time of the signing the employment contract or the conferment of the assignment, shall deliver and have signed (with acknowledgement of acceptance) a copy of this Code to the interested parties.

6. Pursuant to the provisions of Art. 2 subsection 4 of Law 240/2010, if behavior results in both a disciplinary violation and a violation of ethical rules, only the former shall be considered.

7. The violation of the rules contained in this code, which, representing general principles of conduct, are applicable to personnel under public law pursuant to Art. 3, subsection 2 of the legislative decree of 30 September 2001, n. 165 (teachers and researchers), and the related sanctions, shall be evaluated on a case-by-case basis by the Disciplinary Board pursuant to Art. 10 of Law n. 240 of 30 December 2010, unless otherwise provided.

8. This Code is subject to periodic review.



Servizio Legale

9. This Code shall enter into force on the day following its publication on the institutional website of the university and shall apply to violations committed after its entry into force.