



**Rectoral Decree n 364/2025, 9/04/2025**  
**CODE OF ETHICS AND CONDUCT**

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## **Title I - General Provisions**

### **Article 1 - Adoption of the Unique Code**

1. This Code of Ethics and Conduct, hereinafter referred to as the "Code", adopted in implementation of Article 2, Paragraph 4 of Law 240/2010 and of the combined provisions of Article 54, paragraph 5 of Legislative Decree 165/2001, and Article 1, paragraph 2 of Presidential Decree 62/2013, outlines, with reference to the University of Cagliari (hereinafter referred to as the University), the rules of the Code of Conduct for public employees issued by D.P.R. 62/2013, hereinafter referred to as the "National Code of Conduct", and defines further rules specified on the basis of the particular needs of the University.
2. The Code is updated with the amendments introduced by Presidential Decree No. 81 of 13 June 2023 "Regulation concerning amendments to Presidential Decree No. 62 of 16 April 2013", containing "Code of Conduct for Public Employees, pursuant to Article 54 of Legislative Decree No. 165 of 30 March 2001" and with the actions envisaged by the HRS4R (Human Resources Strategy For Researchers).

### **Article 2 - Scope: Addressees of this Code**

1. The Code applies to all permanent and fixed-term staff (employed by the University) and students of the University, as well as to:
  - collaborators or consultants, regardless of the type of contract or assignment;
  - collaborators in any capacity of companies supplying goods or services that carry out work for the administration;
  - research fellows and holders of research contracts pursuant to Article 22 of Law 240/2010;
  - holders of scholarships and research grants and any other person to whom the legislation extends the application of this Code;
  - all members of academic bodies, committees or boards, even when they are external to the University.
2. With regard to the University staff assigned to the Cagliari University Hospital (AOU) or to other medical-sanitary facilities, this Code applies with reference only to activities performed for the University and different from healthcare.
3. In the following articles, "members" shall mean all persons identified in this article.

### **Article 3 - Reporting**

1. For the online reporting activities provided for in the Code, reference is made to the forms system accessible at the following link: [unica.it - Forms and declarations](https://unica.it). The system resides on a specially dedicated server, with a restricted level of accessibility, and allows for the submission of anonymous reports, provided they are substantiated.

## **Title II - Ethical Principles**

### **Article 4 - General Principles**

1. The University, as a community conscious of its important function, requires from all its employees the recognition and respect of individual rights and the acceptance of duties and responsibilities towards the institution itself.



2. The University embraces the values that have historically underpinned research, teaching and other university activities in order to foster excellence, honour and the good name of the University.
3. The University promotes the creation of an environment characterised by dialogue and cordial interpersonal relations, openness and exchanges with the international scientific and academic community, education in values and the development of the individual.
4. The University is committed to respecting gender diversity and ensuring equal opportunities between men and women by adopting and promoting appropriate measures and actions. It promotes the use of gender-neutral expressions and requires the prevailing use of the grammatical gender neutral or, where appropriate, congruent with that of the addressee. The use of the masculine gender to indicate persons is only permitted for the sake of communicative simplicity.
5. The University requires all its staff and all those who cooperate in the achievement of its objectives to promote and protect the fundamental values of the University institutions, including: the promotion of merit and individual and cultural diversity; the principle of responsibility in the performance of duties towards the community; intellectual honesty, moral integrity and professionalism in research and teaching; fairness, impartiality, loyal cooperation and transparency as benchmarks of behaviour in internal and external relations.
6. The University embraces the principles and values of the Constitution and repudiates war as an instrument of offence to the freedom of peoples and as a means of settling international disputes (Article 11 of the Constitution). The University is aware of the issue of dual use in research activities and is committed to investigating its implications.
7. The University of Cagliari and its staff recognise the values and principles expressed by the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers, sanctioned by the Commission Recommendation 2005/251/EC, and recently integrated by the European Council Recommendation C/2023/1640. These documents serve as a reference point for researchers and employers and/or funders, with the aim of strengthening the European Research Area (ERA). The University is committed to applying the same principles through the implementation of the Human Resources Strategy for Researchers (HRS4R).
8. The values recognised in this Title set out parameters of conduct applicable to ethical issues and behaviour relevant to the University's affairs and activities.

#### **Article 5 - Rejection of discrimination**

1. The University is committed to promoting good practice and ensuring that all individuals are treated with equal respect and consideration. It condemns any form of discrimination, whether direct or indirect, and any form of social prejudice, the idea of the supremacy or moral superiority of one group over another, as well as any behaviour that takes the form of psychological persecution or moral violence. The University unequivocally condemns all forms of prejudice and discrimination, whether direct or indirect, by individuals or groups, based on gender identity, sexual and political orientation, religious beliefs, personal convictions, language, ethnic or social origin, citizenship or territorial origin, personal or health conditions, pregnancy status and, more generally, parental status, marital status, age and the role people play at the University.



2. In order to prevent gender stereotypes or prejudices from influencing the selection process in any way, committee members appointed to all selection committees shall, upon accepting their appointment to a committee, declare that they have read the University's Unique Code. This declaration must be recorded in the minutes of the committee meeting.

#### **Article 6 - Promoting academic freedom**

1. The University fosters an environment that champions the ideal of individual freedom and autonomy as a prerequisite for excellence in teaching, professional development, intellectual research and exploration, and the pursuit of knowledge.
2. The employees of the University are obliged to demonstrate responsible conduct in the execution of academic activity, encompassing both research and teaching. This commitment is to be realised through the implementation of self-regulatory systems that are designed to illustrate to the scientific/academic community and society the methodology, results, integrity and ethical impact of its research and teaching objectives.
3. Furthermore, members of the University are obliged to maintain respectful conduct with regard to academic decisions of an organisational nature made for the purpose of efficiency, fairness, impartiality and transparency of the university administration.

#### **Article 6 bis - Integrity of research**

1. The University encourages and supports an institutional culture based on research integrity and the exchange of best practices in academia, including training and mentoring activities.
2. Researchers must conduct their work with honesty, reliability, objectivity, impartiality and independence, open communication, a duty of care, fairness and responsibility to future generations of scientists, so that research and its work are free from undue influence (including foreign interference and conflicts of interest) and are safe, inclusive and based on gender equality for all those involved.
3. The University is committed to the Do No Significant Harm (DNSH) constraints in its research activities in order to combine research innovation with the protection of environmental resources.
4. The University promotes Open Access publishing activities as a tool for Open Science.

#### **Article 7 - Research, intellectual and industrial property**

1. In view of their social relevance, the University considers that the results of academic and scientific research should be disseminated in order to contribute to the development and welfare of the community, without prejudice to the rules governing their exploitation through the instruments of industrial and intellectual property and the rights of authors and the University over the results in question.
2. Important scientific and scholarly activities carried out collectively must clearly indicate to which contributor each part relates. Within each group, it is the task of the coordinator to highlight individual merits, to identify the responsibilities of each participant, to stimulate dialogue, cooperation, criticism, debate, and the development of ideas and personal skills.



- 2 bis. The University shall promote practices and procedures to provide researchers, including those at the beginning of their careers, with the basic conditions necessary to enjoy the right to be recognised and listed or cited as co-authors of publications, patents and other activities resulting from their collaborations. Researchers shall be given the opportunity to publish their results independently of their supervisors. It is not permitted to omit the contributions of researchers who have actively participated in the preparation of the scientific publication, nor to list as co-authors those who have not actually and substantially contributed to conducting the research. Authorship hierarchies respect the actual individual contributions of each person to the research.
3. The attribution, even in part, of another person's words, ideas, research or discoveries to oneself or to another author, regardless of the language in which they are officially presented or published, or the failure to acknowledge sources, is reprehensible conduct, even if it does not constitute a criminal offence, whether such conduct is intentional or the result of carelessness.

#### **Article 8 - Rejection of all cases of nepotism and favouritism**

1. The University condemns nepotism and favouritism; it urges all its members to refrain from such behaviour, undertaking to monitor such conduct and to curb it.
2. For the purposes of this Code, nepotism occurs when a member directly or indirectly uses his or her position to obtain advantages or influence the outcome of selection procedures of any kind.
3. Nepotism is equated with the practices of favouritism by a professor towards his or her collaborators, understood as arbitrary conduct in contrast to the values of impartiality.
4. The determination of cases of nepotism and favouritism by the Ethics Committee requires an assessment of the context in order to balance the different values at stake and to avoid arbitrary discrimination against objectively deserving and excellent candidates.
5. Cases of nepotism can be reported in the same manner as provided for in Article 3.

### **Title III - Rules of Conduct**

#### **Article 9 - Conviction for sexual harassment**

1. Sexual harassment is defined as any form of unwanted behaviour with sexual connotations or any other form of conduct or discrimination based on sex that violates the dignity of a person in the context of work, including physical, verbal or non-verbal conduct, including the sending of sexually explicit messages or offensive audiovisual and computer material. Sexual harassment is considered more serious when it is perpetrated by persons in a hierarchical position above the victim or when it is a condition for access to employment, career progression, university life and any other decision related to employment. In addition, harassment and moral harassment, abuse and unwanted attention of a sexual nature towards male or female students are particularly serious.  
The University will provide immediate and impartial protection to victims and, following appropriate procedures, take action against perpetrators of such behaviour.
2. Without prejudice to the possibility of reporting to the judicial authorities, students may address their reports to the Student Guarantor or to one of the persons indicated below.



The other addressees of this Code may address their reports to the head of the structure to which they belong or to the person who directs and/or coordinates the activity, who will decide on the matter after carrying out the appropriate assessments and after having taken all the necessary measures to protect the injured party and the activities carried out at the University.

3. If the report concerns the conduct of a manager, the report shall be addressed to the Director General, who shall be responsible for the tasks referred to in paragraph 2. If the report concerns the Director General, a Head of Department, a Chairperson of the Faculty Council, a Head of a Centre or a Head of a University Structure in accordance with Article 25 of the present Statute, the report shall be addressed to the Rector, who shall be responsible for the tasks described in paragraph 2. If the report concerns the Rector, the report shall be addressed to the Dean, who shall be responsible for the tasks described in paragraph 2.
4. In order to protect his or her confidentiality, University employees may address the report (by means of the application to be found at <https://universitdeglistudidicagliari.whistleblowing.it/#/>) directly to the Head of Anti-Corruption and Transparency, who is responsible for the tasks described in paragraph 2.

#### **Article 10 - Condemnation of Abuse of Position and Conduct in Private Relations**

1. Without prejudice to the provisions of Article 10 of the National Code of Conduct<sup>1</sup>, no employee of the University is permitted to use, directly or indirectly, the authority of his or her academic position or office in order to obtain services that are advantageous to him or herself, the performance of which is not a legal obligation.
2. Abuse may also be said to occur in instances of behaviours which, although not unlawful, are nevertheless contrary to the rules and regulations of the University.

#### **Article 11 - Proper Use of University Resources**

1. Employees of the University must use the resources (human, financial, material and non-material) placed at their disposal by the University with particular care and diligence. No one may make the above-mentioned University resources available to persons or external bodies for purposes of a personal nature and/or for purposes other than those of the University itself, and in any case not expressly authorised. University employees shall use the means of transport provided by the University only for the performance of official duties and shall refrain from transporting third parties, except for official reasons.
2. Any employee of the University who makes use of instruments, machines or other apparatus is obliged to observe the specific regulations, the directions for use and every precaution in order to prevent and avoid damage to themselves or third parties (legislative decree 81/2008).
3. Any employee of the University who uses instruments, machines or other equipment is obliged to comply with the specific regulations, instructions for use and all precautions to prevent and avoid damage to themselves or third parties (Legislative Decree 81/2008).

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<sup>1</sup> In private relations, including non-work relations with public officials in the exercise of their duties, the employee shall not exploit or refer to his/her position in the administration to obtain benefits that are not his/her due and shall not engage in any other conduct that may harm the administration's image." (Art. 10 National Code of Conduct).



4. Employees of the University shall safeguard all IT tools and their access credentials to the information systems provided by the University with due care and diligence, also in order not to compromise IT security and to protect personal data.

#### **Article 11bis - Use of Information Technology**

1. The use of institutional accounts is permitted for work-related purposes only and may in no way compromise the security or reputation of the University. The use of personal e-mail accounts for institutional activities is generally not permitted, except in cases of force majeure where the institutional account cannot be accessed.
2. Employees of the University are responsible for the content of the messages sent. It is forbidden to send communications by means of messaging applications in use at the University, inside or outside the Administration, that are offensive, discriminatory or that could in any way be a source of liability for the Administration. Each outgoing message must allow the identification of the sender with the indication of the structure to which he/she belongs and the relevant telephone and e-mail contacts.
3. The use of IT tools provided by the University is authorised for the performance of personal duties without having to leave the place of employment, provided that the activity is limited to a specific period of time and, in any case, without prejudice to institutional duties.

#### **Article 11ter - Use of social media accounts**

1. When using personal social media accounts, employees must take care to ensure that their opinions or judgements about events, things or people are in no way directly attributable to the University.
2. University employees are required to refrain from expressing personal opinions that may damage the prestige, decency or image of the University or the public administration in general, including through the use of digital platforms, social media or other channels. This is without prejudice to the right to report to the competent bodies, including trade unions, situations, facts or acts that are deemed to be harmful to one's rights. Exercising the right to criticism, even in public, is not considered harmful to the University's image, provided that the criticism is made with fairness of expression and respect for the truth of the facts. These restrictions also apply to the activities referred to in Article 12. para. (3).
3. In order to ensure the necessary confidentiality profiles, communications directly or indirectly related to work duties shall not normally be conducted through public conversations using digital platforms or social media. Excluded from this restriction are activities or communications for which the use of social media meets an institutional need. Without prejudice to the cases of prohibition provided for by law, employees of the University may not disseminate or divulge documents or information to which they have access in order to carry out their daily duties, for reasons unrelated to their working relationship with the administration and contrary to the provisions of Legislative Decree no. 33 of 13 March 2013 and Law no. 241 of 7 August 1990.

#### **Article 12 - Respect for the name and reputation of the University**

1. Employees of the University are required to respect its good name and not to harm its reputation.



2. No employee of the University shall: misuse the University's logo, symbols and name; exploit the University's reputation in connection with professional activities, employment, appointments or other outside activities, including unpaid activities; express personal views using the University's name.
3. In all their private activities, including participation in social networks and communication via any form of media, employees of the University shall avoid conduct that may harm the interests and image of the University, as provided for in Article 11b para. (2).

### Article 13 - Relations with the public

1. Without prejudice to the provisions of Article 12 of the National Code of Conduct<sup>2</sup>, University employees shall maintain an appropriate demeanour in relations with the public and users, aware that they are representing the University.
2. If a university employee is not competent by virtue of his/her position or subject matter, they shall refer the person concerned to a competent employee. Unless a different order of priority is established by the administration or by the Head of the structure, the University employee shall respect the chronological order in the operations to be carried out and in the processing of the files.
3. University employees must respond clearly and thoroughly to the requests received; if the request is formulated electronically, the University employee shall undertake to use the same tool by which the request was sent, ensuring that the response is prepared within a time frame appropriate to the content of the question. In addition, all elements suitable for identifying the person responsible for the reply must always be highlighted.

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1. When dealing with the public, the member of staff shall be identified by a visible badge or other means of identification provided by the administration, unless otherwise provided by the service, also with a view to the safety of staff, and shall act in a spirit of service, fairness, courtesy and availability, replying as fully and accurately as possible to correspondence, telephone calls and e-mail messages, and in any case directing his/her behaviour towards user satisfaction. If he/she is not competent by virtue of his/her position or the subject matter, he/she shall refer the person concerned to the competent official or office within the same administration. The member of staff shall, subject to the rules on official secrecy, give any explanations which may be requested concerning his/her own conduct and that of other members of staff in the office for which he/she is responsible or which he/she coordinates. In the operations to be carried out and in the processing of files, the member of staff shall respect the chronological order of the operations to be carried out, unless otherwise required by the service or in a different order of priority established by the administration, and shall not refuse, on general grounds, the services to which he is bound. The member of staff shall keep appointments with members of the public and respond promptly to their complaints.
2. Without prejudice to the right to express opinions and disseminate information in order to protect trade union rights, the employee shall refrain from making public statements that are offensive to the administration or that may damage the prestige, decorum or image of the administration to which he/she belongs or of the public administration in general.
3. An employee working in an administration providing services to the public shall ensure compliance with the quality and quantity standards set by the administration, including in the relevant service charters. The employee shall work to ensure the continuity of the service, to enable users to choose between the different service providers and to provide them with information on the way in which the service is provided and on the level of quality.
4. An employee shall not enter into commitments or anticipate the outcome of his/her own or others' decisions or actions pertaining to the office, except in specific cases. He/she shall provide information and news concerning administrative acts or operations, whether in progress or concluded, in the hypotheses envisaged by the provisions of the law and regulations on access, always informing the persons concerned of the possibility of also making use of the Public Relations Office.
5. Employees shall issue copies of and extracts from the acts or documents for which they are responsible, in the manner laid down by the rules on access and by the rules of the administration itself.
6. A member of staff shall respect official secrecy and the rules on the protection and processing of personal data and, where he/she is asked orally to provide information, deeds or documents which are not accessible and are protected by official secrecy or by the rules on personal data, he/she shall inform the applicant of the reasons for refusing the request. If an employee is not directly responsible in dealing with the request, they shall ensure, in accordance with current internal rules, that the request is forwarded to the competent body within the same administration. (Article 12 of the National Code of Conduct).



Unless justified and subject to the application of a specific legal regime, replies shall be provided within ten working days of receipt of the question.

4. In carrying out their activities, University employees shall ensure compliance with the deadlines set out in the service charter and quality standards, where indicated.

#### **Article 14 - Refusal of Gifts and Benefits**

1. University employees shall not ask for or accept, for themselves or for others, any gifts or other forms of benefits.
2. University employees shall not accept, for themselves or for others, any gifts or other forms of benefits, except:
  - a) those of modest value which are occasionally given in the context of normal relations of courtesy, institutional occasions and international custom (e.g., consumables). Gifts or other benefits of modest value are understood to be those of a value not exceeding, as a guideline, EUR 150, even in the form of a discount. However, books necessary for the performance of the recipient's institutional duties are excluded.
  - b) gifts or other benefits intended for the administration and purchased by the University. In any case, regardless of whether or not the act constitutes a criminal offence, members of staff shall not, for themselves or for others, solicit gifts or other benefits, even of modest value, in return for performing or having performed an act in the exercise of their functions, from persons who may benefit from decisions or activities relating to their functions, or from persons from whom they are called upon, or are about to be called upon, to perform or have performed activities or exercise powers relating to their functions.
3. University employees shall notify the Head of Anti-Corruption and Transparency of the receipt of gifts and/or other benefits other than those permitted by this Code. The notification shall be made promptly through the appropriate online tools and in any event no later than five days after receipt. Failure to make a report, or a late, incomplete or false report, will result in disciplinary action.
4. Gifts, presents and other benefits received outside the cases permitted by this article shall be immediately reported to the Head of Anti-Corruption and Transparency using the special [form for reporting the receipt of a gift](#), available on the University's website in the section Anti-Corruption and Transparency. The Head of Anti-Corruption and Transparency will enter them in a special computerised register and will give priority to their return or, if this is not possible, to their use for the University's service purposes or their allocation to charitable and aid initiatives.
5. In the event that the Head of Anti-Corruption and Transparency receives gifts and/or other benefits in breach of this Code, the matter shall be referred to the Director General or, if the latter holds the position of Head of the Anti-Corruption and Transparency, to the Rector.

#### **Article 15 - Joint collaboration assignments with private individuals**

1. University employees shall not accept joint collaboration assignments from private individuals that have, or have had in the previous two years, a significant economic interest in decisions or activities pertaining to the office, structure or body to which they belong. These rules shall apply to all employees of the University. For the purposes of the application of this Article:



- a) "Joint collaboration assignments" means assignments of any type and for any reason (by way of example, assignments as consultants, experts, arbitrators, auditors, attorneys, etc.);
- b) "Private individuals" means all natural and legal persons, including non-profit organisations, with the exception of private persons contained in the list of public administrations (included in the consolidated economic accounts and identified in accordance with Article 1 para. (3) of Law No 196/2009), legal persons in which a public administration has a majority shareholding, and legal persons created in the context of technology transfer activities.

### Article 16 - Conflict of Interest

1. It is the duty of every employee of the University to prevent and avoid activities and situations that place them in conditions of conflict of interest, even if only apparent, with respect to the University.
2. A conflict of interest exists whenever the private interest of a member of staff or employee of the University, excluding the student as a learner, is in actual or potential conflict with the interest, not only economic, of the University. This conflict may also concern external employment relationships with training and research organisations.
3. The private interest, other than an economic one, of an employee of the University may refer to: the person as a University employee; a member of his/her family; natural or legal persons with whom the University employee has a legal relationship; legal persons over which he/she has control or a significant financial interest; third parties, when they may knowingly benefit the University employee. A conflict of interest also exists in cases where Article 7 of the National Code of Conduct<sup>3</sup> provides for an obligation to abstain.
- 3 bis. The declaration of the absence of a conflict of interest, even a potential one, shall also be made by the persons concerned in the case of appointment as members of selection committees in competitions and selection procedures organised by the University, by reporting in the manner provided for in paragraph 5 or by abstaining in all cases where the conflict exists.
- 3 ter. As soon as they are assigned to the Office, members of staff shall inform the head of the structure in writing, using the appropriate form, of all direct or indirect links of collaboration with private persons, remunerated in any way, which they have had or have had in the last three years, stating:
  - a) whether he/she, or his relatives or acquired relatives up to the second degree of kinship, spouse or cohabiting partner still have a financial relationship with the person with whom he/she had the aforementioned relationship;
  - b) whether such relations have taken place or are taking place with persons having an interest in activities or decisions pertaining to the office, limited to the document processing entrusted to him/her. Any changes to declarations already submitted must be promptly communicated to the head of the structure.

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<sup>3</sup> "Employees shall abstain from taking part in the adoption of decisions or activities that may involve their own interests, or those of their relatives, relatives by marriage up to the second degree of kinship, spouse or cohabitants, or persons with whom they are in habitual contact, or of persons or organisations with whom they or their spouse have pending litigation or serious enmity or significant credit or debit relationships, or of persons or organisations of which he or she is guardian, curator, attorney or agent, or of bodies, associations, including unrecognised associations, committees, companies or establishments of which he or she is a director or manager or executive. Employees shall abstain in all other cases where there are serious reasons of expediency. The head of the office to which the employee belongs shall decide on abstention." (Art. 7 National Code of Conduct).



4. Anyone who finds themselves in a situation of conflict of interest, even a potential one, must immediately inform, depending on the nature of the conflicting activity, the person in charge of the structure to which they belong or the person who chairs/coordinates the activity or the person who made the appointment/nomination.
5. All disclosures must be made no later than five days after the conflict has become apparent, using the [form for reporting a personal conflict of interest](#) available on the University's website in the section "Anti-Corruption and Transparency", and in any case before taking any action, and must include all information useful for assessing the extent of the conflict.
6. The addressee of the report shall disclose in the online reporting system the messages received outside the system and, after gathering the necessary information, shall decide without delay on the extent of the conflict of interest and on the expediency of abstaining by taking the appropriate action. The decision shall be notified in writing to the person concerned and to the Head of the Anti-Corruption and Transparency Unit.
7. If the conflict concerns a manager, the decision is taken by the Director General; if the conflict concerns the Director General, a Head of Department, a Faculty Council Chairperson, a Head of a University centre or structure pursuant to Article 25 of the current Statute, the decision is taken by the Rector.
8. If the conflict concerns the Rector, the decision shall be taken by the Academic Senate. If the conflict concerns the Rector, it shall be reported to the Dean, as provided for in paragraph 5, who shall investigate the matter and present it to the Senate at the first available meeting. If the Academic Senate finds a conflict of interest, the Dean shall replace the Rector, limited to the activity for which the conflict has been found, and shall take the necessary actions and measures. Pending the decision of the Academic Senate, the Dean may, if there are serious reasons of urgency, appoint himself/herself to adopt the urgent acts, which shall be ratified at the first useful meeting of the Senate.
9. Failure to make a report, or a late, incomplete or false report, will result in disciplinary action.

#### **Article 17 - Participation in associations and organisations**

1. It is the duty of every employee of the University to notify the head of the structure to which he/she belongs of his/her membership of or involvement in associations or organisations<sup>4</sup> whose activities may interfere with the performance of the activities of his/her office. The communication must contain the essential data concerning the association and the reasons for the potential interference, and is made by means of a [form for reporting membership of associations or organisations in potential conflict of interest](#), which is available on the University website in the Anti-Corruption and Transparency section, within 15 days of:
  - a) recruitment or assignments of any kind, or
  - b) taking up duty at their assigned office, or
  - c) adherence to or knowledge of possible interference that may occur with the activities of the structure to which the University employee is assigned, or

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<sup>4</sup> "In compliance with the regulations in force on the right of association, the employee shall promptly inform the head of the office to which he or she belongs of his or her membership or affiliation to associations or organisations, whether or not they are of a confidential nature, whose spheres of interest may interfere with the performance of the office's activities. This paragraph does not apply to membership of political parties or trade unions." (Art. 5 National Code of Conduct).



- d) in the case of a transfer, knowledge of the official assignment,
  - e) that is, within 60 days of the entry into force of the update of this Code.
2. If the aforesaid communication is to be made by an employee of the University referred to in Art. 16 paras. (7) and (8), the rules laid down in the same Article shall apply.
  3. Failure to make a report, or a late, incomplete or false report will result in disciplinary action.

#### **Article 18 - Confidentiality, transparency and traceability of information**

1. University employees and members of staff are obliged not to disclose confidential news, data or information relating to the performance of their duties or acquired in any way, and to respect official secrecy.
2. University employees and staff shall base their activities on principles of transparency and ensure maximum accountability in decision-making processes, both to meet regulatory obligations and to ensure end-user satisfaction.
3. The employees of the University are obliged to know and comply with the legislation in force on transparency, also with reference to the provisions of the Plan of Commitment to Transparent Management included in the Integrated Plan of Activities and Organisation (PIAO). The University organises specific training and information sessions.
4. The employees of the University shall take particular care in carrying out transparent administrative operations and in managing the information in their possession, in order to avoid causing any damage to the University's image.
5. University employees shall notify the head of their office or the Head of Anti-Corruption and Transparency of any need to update, correct and supplement the information, data and acts subject to publication, pertaining to their sphere of competence.
6. In order to ensure the continuity of office activities, as well as the availability, traceability and exchange of information, University employees shall use the University's information systems as appropriate.

#### **Article 19 - Anti-Corruption**

1. University employees are required to comply with the provisions of anti-corruption legislation, the plans provided for therein and the University's Anti-Corruption and Transparency Plan, as an integral part of the Integrated Activity and Organisation Plan (PIAO), as described in its specific section. Without prejudice to recourse to the judicial authorities, University employees are required to report to the Head of Anti-Corruption and Transparency, through the reporting channel specifically established on the University's website, situations of misconduct of which they become aware by virtue of their employment relationship, pursuant to Legislative Decree no. 24 of 10 March 2023, using the platform referred to in the following link (<https://universitdeglistudidicagliari.whistleblowing.it/#/>). The Head of Anti-Corruption and Transparency will take charge of the report and provide feedback to the reporting party within 3 months. All those involved in the management of the report are obliged to guarantee the anonymity of the reporting party, in accordance with Article 12 of Legislative Decree 24/2023, and to implement the protection mechanisms provided for by the applicable legislation. The Head of the Anti-Corruption and Transparency Department is in charge of ensuring and verifying the concrete application of the



- whistleblower protection mechanisms provided for in Article 17 of Legislative Decree 24/2023.
2. In the event of a report of wrongdoing made by a person outside the University (suppliers, consultants or freelancers, etc.), the Head of Anti-Corruption and Transparency and all the persons involved in the management of the report are required to guarantee the same protection of confidentiality of the person making the report as provided for in Article 12 of Legislative Decree no. 24/2023.
  3. Having acquired all relevant information, The Head of Anti-Corruption and Transparency may:
    - a) consider the report worthy of investigation, and shall forward the documents to the disciplinary authority and/or the competent judicial authority and take any other measures necessary, including for the protection of the author of the report;
    - b) request additional elements from the person reporting through the dedicated channel, if what is reported is not adequately substantiated;
    - c) consider the report unworthy of further investigation and notify the author thereof.
  4. If the report concerns a possible illegal act committed by the Head of Anti-Corruption and Transparency, the National Anti-Corruption Authority (ANAC) must be notified through the means indicated on its institutional website. The Rector and the Director General must be informed of the report made to the ANAC so that they can take any appropriate precautions or act in self-defence, pending the investigation of the position of the Head of Anti-Corruption and Transparency.
  5. Any employee or member of staff of the University who reports an unlawful act, if he/she considers that discriminatory measures have been taken against him/her, including by the Head of Anti-Corruption and Transparency, and/or if he/she considers that the protection reserved for the reporting person has been violated, shall notify the ANAC using the methods indicated on the institutional website. The Rector and the Director General must be informed of the report made to the ANAC in order to take any appropriate precautionary measures or to act in self-defence or pending the investigation of the position of the Head of Anti-Corruption and Transparency.
  6. All employees of the University shall cooperate with the Anti-Corruption and Transparency Officer and report personally, including through online forms, or through the head of the structure or the contact person for Anti-corruption:
    - a) any difficulties encountered in fulfilling the requirements contained in the section of the PIAO dedicated to the prevention of corruption and transparency;
    - b) additional risk situations not specifically addressed in the aforementioned plan.
  7. All employees are required to promptly notify the Head of Anti-Corruption and Transparency in writing of the receipt of indictment orders using the appropriate online form (available in the Anti-corruption and Transparency section of the University website). The Head shall assess any organisational measures to be suggested in the management of the ensuing activities.



## Article 20 - Contracts and other acts of negotiation

1. Without prejudice to the provisions of Article 14 of the National Code of Conduct<sup>5</sup>, University employees dealing with collaboration and external consultancy, general provisions, contracts for public works or the supply of goods and/or services are required to:
  - a) issue a declaration of absence of conflict of interest for each procedure, by filling in the appropriate [form](#), and to halt procedures if a conflict of interest arises at any stage of the award or tender;
  - b) act impartially and ensure equal treatment is applied;
  - c) refrain from divulging or using for personal purposes any information to which he or she has access in the course of his or her duties, subject to compliance with the rules established to protect the right of information and access;
  - d) maintain confidentiality regarding the whole tender process and the names of the competitors until the awarding of the contract has been decided;
  - e) avoid engaging in any activity that conflicts with the proper performance of official duties and becoming involved in any situation, even if only apparent, where conflict of interest may arise;
  - f) report immediately to the Head of Anti-Corruption and Transparency and/or, depending on the nature of the activity carried out, to the person in charge of the structure to which he/she belongs or to the person who presides/coordinates the activity or to the person who made the appointment/designation, of any offer of employment and/or business by the competitor and the successful tenderer involving personal benefits or offers of money or gifts to the employee or to his/her relatives or relatives-in-law up to the second degree, or to his/her spouse or partner. The addressee of the report shall immediately inform the Head of Anti-Corruption and Transparency of the report received and of any other proposal addressed to him/her;
  - g) obtain from each contractor awarded a contract for collaboration, external consultancy and work services, an express declaration of the absence of conflict of interest, even potential, with the University and a declaration committing them to comply with the National Code of Conduct and the University Code.

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1. In the preparation of agreements and negotiations and in the conclusion of contracts on behalf of the Administration, as well as in the performance thereof, an employee shall not use the mediation of a third party, nor shall he or she pay or promise a benefit for the purpose of mediating or facilitating the conclusion or performance of the contract. This paragraph does not apply in cases where the administration has decided to use professional mediation.
2. The employee/member of staff may not, on behalf of the Administration, conclude any contract for the award of tenders, supplies, services, financing or insurance with any company with which he/she has concluded private contracts or received other benefits in the previous two years, with the exception of contracts concluded in accordance with Article 1342 of the Civil Code. In the event that the Administration concludes tender, supply, service, financing or insurance contracts with companies with which the member of staff has concluded private contracts or received other benefits in the previous two years, the member of staff shall abstain from taking part in the adoption of decisions and activities relating to the contractual agreement and shall draw up a written record of this abstention, which shall be filed in the Office. 3. Any member of staff who, in his private capacity, concludes agreements or negotiations or concludes contracts, other than those referred to in Article 1342 of the Civil Code, with private natural or legal persons with whom he has concluded, on behalf of the Administration, procurement, supply, service financing or insurance contracts during the previous two years, shall inform the Head of Office in writing. 4. If the manager finds himself/herself in the situations referred to in paragraphs 2 and 3, he/she shall inform in writing the person responsible for human resources. 5. Any member of staff who receives oral or written complaints from natural or legal persons involved in negotiating procedures, to which the administration is a party concerning the work of the office or that of his/her staff, shall immediately inform his/her hierarchical or functional superior, as a rule in writing (Article 14 of the National Code of Ethics).



2. In the activities aimed at stipulating contracts and other acts of negotiation, the University employee shall comply strictly with the procedures provided for by the regulations in force, particularly as regards transparency and traceability, following the directives issued by the three-year Plan for promoting Anti-Corruption and Transparency, as an integral part of the Integrated Activity and Organisation Plan (PIAO) in the dedicated section.

**Article 21 - Special Provisions for the Director General, Managers, Heads of Department, Chairpersons of the Faculty Council, Heads of a Centre or Heads of a University Structure pursuant to Article 25 of the current Statute**

1. Without prejudice to the application of the other provisions of the Code and of the provisions of Article 13 of the National Code of Conduct<sup>6</sup>, the employees of the University who perform the duties of Head of Department, Faculty Council Chairman, Head of a Centre or Head of a University Structure pursuant to Article 25 of the current Statute, the Director General and employees with executive duties (managers), including those who hold appointments pursuant to Article 19, paragraph 6, of legislative decree 165/2001, shall observe and supervise compliance with the disciplinary, transparency and anti-corruption rules on absences and leaves of absence,

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1. "Without prejudice to the application of the other provisions of the Code, the provisions of this Article shall apply to managers, including office holders within the meaning of Article 19 para. (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 managers working in the offices of direct collaboration with political authorities, and to officials in charge of organisational positions in entities without management.
2. The manager diligently performs the functions incumbent upon him/her under the deed of appointment, pursues the objectives assigned to him/her and adopts an organisational behaviour appropriate to the fulfilment of the task.
3. Before taking up his/her duties, the manager shall disclose to the administration any shareholdings and other financial interests that may place him/her in a conflict of interest with the public function he/she performs, and shall declare whether he/she has relatives and/or relatives-in-law up to the second degree, spouse or cohabiting partner exercising political, professional or economic activities that place them in frequent contact with the office he/she is to direct or that are involved in the decisions or activities pertaining to the office. The manager shall provide information on his/her assets and annual declarations of income subject to personal income tax as required by law.
4. The manager assumes loyal and transparent attitudes and adopts exemplary conduct, in terms of integrity, impartiality, good faith and fairness, equal treatment, inclusiveness and reasonableness, and is impartial in his/her relations with colleagues, collaborators and recipients of administrative action. The manager also ensures that the resources assigned to his/her office are used for exclusively institutional purposes and, in no case, for personal needs.
- 4 bis. The manager takes care of the professional growth of employees, favouring training and development opportunities within and outside the structure for which he/she is responsible.
5. The manager takes care, compatibly with the available resources, of the organisational wellbeing in the structure he/she is in charge of, favouring the establishment of cordial and respectful relations among collaborators, as well as of relations, internal and external to the structure, based on loyal collaboration and mutual trust, and takes initiatives aimed at the circulation of information, inclusion and valorisation of differences in gender, age and personal conditions (EDI).
6. The manager assigns the processing of files on the basis of a fair distribution of the workload, taking into account the skills, aptitudes and professionalism of the staff at his disposal. The manager assigns additional tasks on the basis of professionalism and, as far as possible, according to rotation criteria.
7. The manager carries out the evaluation of the personnel assigned to the structure to which he/she is responsible impartially and in accordance with the prescribed instructions and time limits, measuring the achievement of results and organisational behaviour.
8. The manager promptly takes the necessary steps if he/she becomes aware of an offence, initiates and concludes, if competent, the disciplinary procedure, or promptly reports the offence to the disciplinary authority, lending his cooperation where requested, and promptly lodges a complaint with the criminal judicial authorities or reports to the Court of Auditors for the respective competences. If it receives a report of an offence from an employee, it takes all the precautions required by law to ensure that the reporter is protected and that his identity is not unduly revealed in the disciplinary proceedings, pursuant to Article 54-a (rectius: Article 12, Legislative Decree 24/2023).
9. The manager, within the limits of his/her possibilities, prevents untrue news about the organisation, its activities and civil servants from spreading. He/she promotes the dissemination of knowledge of good practices and good examples in order to strengthen the sense of belonging (ed. for internal staff) and trust (ed. for external users) towards the administration (Art. 13 National Code of Conduct).



incompatibility, accumulation of work assignments by the members of staff of the University in the structure for which they are responsible, also in order to avoid unlawful practices of double work appointments.

2. The persons referred to in paragraph 1 shall diligently perform the tasks assigned to them and pursue the objectives assigned to them by adopting appropriate organisational actions.
3. The persons referred to in paragraph 1 shall also ensure a fair distribution of the workload within their structure; they shall promote regular meetings in order to optimise their work through dialogue and collaboration; they shall monitor and rectify any imbalances in the workload caused by the negligence of some employees.
4. The persons referred to in paragraph 1 shall, before taking up their duties, declare to the Administration any shareholdings and other financial interests which may place them in a position of conflict of interest with the public function they perform and shall declare whether they have relatives and in-laws up to the second degree, spouses or cohabiting partners who engage in political, professional or economic activities which place them in frequent contact with the structure they are to manage or who participate in the decisions or activities relating thereto. They shall provide information on their assets and liabilities and annual declarations of income subject to income tax as required by law. The aforementioned communications shall be made by means of self-certification in accordance with Presidential Decree 445/2000 and shall also include the commitment of the university staff to inform the administration of any changes.

#### **Article 22 - Supervision, monitoring and training activities**

1. The Rector, the Director General, the managers and the employees of the University who perform the functions of Head of Department, President of the Faculty Council, Head of a Centre or a University Structure in accordance with Art. 25 of the present Statute, shall, within the limits of their respective competences, inform and supervise the application of the provisions of this Code. In the course of its investigative and supervisory activities, the competent disciplinary authority shall have access to all documents and may collect all relevant information, even before a complaint has been lodged.
2. The Head of Anti-Corruption and Transparency may propose the drafting of information notices and circulars, the organisation of refresher courses for employees of the University and any other useful initiative.
3. In order to prevent and combat corruption, to follow up on the suspension of procedures due to a conflict of interest of university employees, and to ensure compliance with the principles of efficiency and effectiveness in administrative action, the University may adopt initiatives for cooperation with other administrations.
4. In cases where, pursuant to this Code, a report is to be made - including online - to the head of the structure to which he/she belongs or to the person who chairs/coordinates the activity or to the person who made the appointment/designation, or to the Head of Anti-Corruption and Transparency Unit, the addressee of the report shall reply promptly if there are serious reasons of expediency or if it is necessary for the proper performance of the activities; in all other cases, no more than 30 days must elapse.



## **Title IV - Compliance and Breach of the Code**

### **Article 23 - Application of the Code**

1. Infringement of this Code by the persons referred to in Article 2 shall entail the application of the sanctions provided for in their respective regulations. You may report any breaches of the Code or discrimination to the Head of the Department or, as the case may be, to the Ethics Committee, the Confidential Counsellor, the Student Guarantor or the Head of Anti-Corruption and Transparency.

### **Article 24 - Breach of ethical rules**

1. Failure to comply with the principles set out in Title II of this Code constitutes a breach of the University's ethical rules and, as such, if it does not fall within the competence of the Disciplinary Boards for teaching staff or for technical-administrative and library staff, may be grounds for the Academic Senate, on the proposal of the Rector, to impose the sanctions provided for in Article 2, paragraph 4 of Law 240/2010.
2. These sanctions, as provided for in Article 13, para. (1) letter (i) of the University Statute, range from a written warning to, in the most serious cases, disqualification and/or exclusion from the academic bodies and/or the bodies of university structures or exclusion from the allocation of university funds and grants.

### **Article 25 - Breach of Rules of Conduct**

1. Failure to comply with the rules of conduct laid down in Title III of this Code shall give rise to disciplinary action to be determined at the end of the disciplinary procedure, in accordance with the relevant provisions of the regulations applicable to teaching staff and to technical, administrative and library staff, and in compliance with the principles of progressiveness and proportionality of sanctions.
2. The applicable sanctions shall be those provided for by the laws, regulations and collective agreements in force. This shall be without prejudice to other obligations and consequent liabilities of university employees as provided by law, regulations or collective agreements.

### **Article 26 - The Ethics Committee**

1. As provided for in Article 20, para. (3) of the University Statute, the Ethics Committee:
  - a) favours the amicable settlement of disputes;
  - b) notifies the Rector of cases in which breaches of the Code of Ethics have been detected, for subsequent measures within its competence;
  - c) refers the matter to the Rector if it detects conduct that could be sanctioned by disciplinary proceedings;
  - d) may submit to the Academic Senate proposals to revise or supplement the Code of Ethics.

### **Article 27 - Violations committed by the Rector**

1. If the breach of this Code is committed by the Rector, the sanctioning functions shall be exercised by the Academic Senate upon the proposal of the Dean.



## Title V - Special Provisions

### Article 28 – Technical-administrative and library staff: conduct at work and relations with the public

1. Without prejudice to the provisions of Article 11 of the National Code of Conduct<sup>7</sup>, University employees shall take any leave of absence, however designated, in accordance with the conditions laid down by law, regulations and collective agreements.
2. University employees shall ensure their regular attendance at work and the correct and diligent use of the attendance system provided by the University.
3. For matters not provided for in Article 13 of this code, please refer to Article 12 of the National Code of Conduct<sup>8</sup>.

### Article 29 – Technical-administrative and library staff: reference rules and the office responsible for issuing opinions

1. For anything not expressly provided for in this Code, please refer to the contents of the national Code of Conduct.

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1. Without prejudice to compliance with the time limits of the administrative procedure, the employee shall not, except for justified reasons, delay or behave in such a way as to cause other employees to perform activities or take decisions for which they are responsible.
2. The employee will use leave to abstain from work, however denominated, in accordance with the conditions laid down by law, regulations and collective agreements.
3. The employee or member of staff shall use the material or equipment at his disposal for official purposes and the telematic and telephonic services of the institution within the limits laid down by the administration. The member of staff shall use the means of transport placed at his/her disposal by the administration only for the performance of his/her official duties and shall refrain from transporting third parties, except for official reasons" (Article 11 of the National Code of Conduct).

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1. When dealing with the public, the member of staff shall be identified by a visible badge or other means of identification provided by the administration, unless otherwise provided by the service, also with a view to the safety of staff, and shall act in a spirit of service, fairness, courtesy and availability, replying as fully and accurately as possible to correspondence, telephone calls and e-mail messages, and in any case directing his/her behaviour towards user satisfaction. If he/she is not competent by virtue of his/her position or the subject matter, he/she shall refer the person concerned to the competent official or office within the same administration. The member of staff shall, subject to the rules on official secrecy, give any explanations which may be requested concerning his/her own conduct and that of other members of staff in the office for which he/she is responsible or which he/she coordinates. In the operations to be carried out and in the processing of files, the member of staff shall respect the chronological order of the operations to be carried out, unless otherwise required by the service or in a different order of priority established by the administration, and shall not refuse, on general grounds, the services to which he is bound. The member of staff shall keep appointments with members of the public and respond promptly to their complaints.
2. Without prejudice to the right to express opinions and disseminate information to protect trade union rights, the employee shall refrain from public statements that are offensive to the administration or that may damage the prestige, decorum or image of the administration to which he/she belongs or of the public administration in general.
3. The employee working in an administration providing services to the public shall ensure compliance with the quality and quantity standards set by the administration, also in the relevant service charters. The employee shall work to ensure the continuity of the service, to enable users to choose between different service providers and to provide them with information on how the service is provided and on the level of quality.
4. The employee shall not make commitments or anticipate the outcome of his/her own or others' decisions or actions relating to the office, except in specific cases. He/she shall provide information and news concerning administrative acts or operations, whether in progress or concluded, in the hypotheses envisaged by the provisions of the law and regulations on access, always informing the persons concerned of the possibility of also making use of the Public Relations Office. He/she shall issue copies and extracts of deeds or documents within their competence, in the manner laid down by the rules on access and by the regulations of the administration itself.
5. The employee shall respect official secrecy and the rules and regulations on the protection and processing of personal data and, where he/she is asked orally to provide information, deeds, documents that are not accessible and are protected by official secrecy or by the provisions on personal data, he/she shall inform the applicant of the reasons for refusing the request. If an employee is not directly responsible in dealing with the request, they shall ensure, on the basis of internal provisions, that it is forwarded to the competent office of the same administration (Art. 12 National Code of Conduct).



2. The office competent to issue opinions on the application of the Code is the Disciplinary Proceedings Office, subject to the mandatory opinion of the Head of Anti-Corruption and Transparency.

#### **Article 30 - Rules for students**

1. This Code applies to students in accordance with the provisions of the 'Student Administrative Careers' regulation, to which reference is made for a definition of the further specific rules of conduct applicable.
2. Violation of the rules of this Code applicable to students may give rise to disciplinary sanctions in accordance with Article 54 of the Student Administrative Careers Regulations.

### **Title VI - Final Provisions**

#### **Article 31 - Final Rules and Dissemination of the Code**

1. This University Code shall be interpreted and applied taking into account the legislation in force at the time.
2. Any act, regulation or provision referring to the Code of Ethics or the Code of Conduct shall be deemed to refer to this Code.
3. Employees of the University may seek clarification from the Ethics Committee on the appropriate course of action in specific cases of uncertain resolution and may report conduct of doubtful compliance to the Ethics Committee.
4. The University shall, at the time of signing the contract of employment or, failing that, at the time of appointment, provide new employees, in whatever capacity, with a copy of this Code and ensure that they sign it.
5. This Code is published on the University's website. It is also sent by e-mail to all workers. The University will ensure its widespread dissemination by any other means deemed appropriate.
6. Any reference in the Code to acts/documents which may be amended/revised shall be understood as referring to the substantive discipline referred to therein. Similarly, any changes to web links shall be deemed to have been automatically updated to the new wording on the website.
7. The present Code is subject to review at such times and in such manner as may be deemed necessary. It shall enter into force on the day following the date of publication on the University website of the Rector's decree issuing it and shall apply to conduct subsequent to its entry into force.