



UNIVERSITÀ DEGLI STUDI
DI TRENTO

CODE OF CONDUCT OF THE UNIVERSITY OF TRENTO

Adopted with Rector's Decree No. 582 of 27th May 2014

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Art. 1 - General provisions

1. This Code of conduct, hereinafter referred to as the “Code”, is adopted in execution of the provisions of Article 54 paragraph 5 of Legislative Decree No. 165 of 30th March 2001, supplementing and specifying the contents of Presidential Decree No. 62 of 16th April 2013, hereinafter referred to as the “National Code of Conduct”.

Art. 2 - Field of application

1. This Code applies to all managerial, technical-administrative, permanent and fixed-term staff and to the University's collaborators linguistic experts of the University.
2. For teaching and research staff, including those with a fixed-term employment relationship, the rules contained in this Code constitute general principles of conduct, as far as they are compatible with the provisions of the respective regulations.
3. The obligations of conduct prescribed by this Code extend, as far as they are compatible, to all persons who have a formalised relationship with the University and, in particular, to collaborators or consultants, with any type of contract or assignment, including teaching assignments pursuant to Art. 23 of Law No. 240 of 30th December 2010; to the holders of bodies, to collaborators of companies supplying goods or services that carry out works in favour of the administration; to holders of research grant contracts pursuant to Article 22 of Law No. 240 of 30th December 2010; to holders of scholarships and research grants; to students holding part-time collaboration contracts and to any other person to whom the regulations extend the application of this Code.
4. The use, in this Code, of the male gender to indicate subjects, positions and legal statuses has been used only for the sake of simplicity of the text and is intended to refer to both genders.

Art. 3 - General principles



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1. In accordance with the Constitution and current legislation, the employee performs his duties observing all the general principles set out in art. 3 of the National Code of Conduct. The worker shall in any case conform his conduct and activity to the principles of good performance, integrity, correctness, good faith, proportionality, objectivity, non-discrimination, transparency, equity, reasonableness, shall act in a position of independence and impartiality, refraining from any conflict of interest, even if potential, and shall pursue the public interest without abusing the position or powers he holds.
2. In relations with the recipients of the administrative action, the worker ensures equal treatment under equal conditions, also refraining from arbitrary actions involving discrimination based on gender, nationality, ethnic origin, language, religion, personal or political convictions, disabilities, social or health conditions, age, sexual orientation, as well as conduct that can be configured as harassment or mobbing as defined by the respective regulations.
3. The employee is aware of and observe the Statute, the Code of Ethics of the University of Trento and this Code.
4. The employee, as part of the University community, contributes to the pursuit of the institutional aims and strategic objectives of the University, according to the degree of responsibility required by the functions assigned to him.
5. The employee shall not use for private purposes the information in his possession for office reasons, shall avoid situations and conduct that may hinder the proper performance of duties or harm the interests or image of the University. In the context of this Code, "private purposes" includes any purpose other than institutional purposes and pertaining to the relationship with the University.

Art. 4 - Gifts, remuneration and other benefits

1. The employee shall not ask or solicit, for himself or for others, gifts or other benefits, not even of modest value, as remuneration for performing an official act from persons who may benefit, even indirectly.
2. The employee shall not accept, for himself or for others, gifts or other benefits, except for those of modest value given occasionally as part of the normal courtesy or institutional relations.
3. The employee shall not offer, directly or indirectly, gifts or other benefits, to one of his superiors, except those of modest value.
4. For the purposes of this article, gifts or other benefits of modest value shall mean those of a value not exceeding, as a guideline, €150, including in the form of a discount. Employees may not receive, for themselves or for others, any gifts in the form of cash or other means of payment in lieu of cash, nor gifts from a single person if their cumulative value exceeds the aforementioned threshold in the course of a year.
5. The employee shall notify the Head of the Prevention of Corruption of the receipt of gifts and/or other benefits, outside the cases allowed by this Code. The communication must be made promptly in written form. The Head of the Prevention of Corruption may order that the goods be returned or made available to the Administration to be used for institutional purposes. Violation of this subparagraph results in disciplinary liability.
6. The employee shall not accept collaboration assignments from private persons who have or have had in the previous two years a significant interest in decisions or activities of the office to which he belongs.
7. The Head of the Prevention of Corruption supervises the correct application of this article

Art. 5 - Participation in associations and organizations

1. In compliance with the regulation in force on the right of association, the employee shall promptly inform the head of the structure of his membership or affiliation to associations and organisations regardless of



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their confidential or non-confidential nature, if such participation may conflict with the performance of the office's activities. This subparagraph does not apply in the case of membership of political parties or trade unions. The communication, which must contain essential information about the association and the reasons for the potential conflict, shall be made in written form within 15 days:

- a) since the recruitment or assignment of the office;
 - b) since entering into service at the office;
 - c) since the adherence to or the knowledge of possible interference with the activities of the facility to which the worker is assigned;
 - d) in the case of a relocation, from knowledge of the act of assignment;
 - e) or within 60 days of the entry into force of this Code.
2. The civil servant shall not force other employees to join associations or organisations, nor put pressure on them to that end, by promising advantages or by promising career disadvantages.

Art. 6 - Disclosure of financial interests

1. The employee, when assigned to the office, shall notify in written form, within 15 days, the head of the structure of reference, of all direct or indirect collaborative relationships with private entities, howsoever remunerated, that he has or has had in the last three years, specifying:
 - a) whether he or his relatives or relatives-in-law up to the second-degree, spouse or cohabiting partner still have a financial relationship with the person with whom he had above-mentioned relationship;
 - b) whether such relations have taken place or are taking place with persons having an interest in activities or decisions concerning the office, limited to the files entrusted to him.
2. The employee shall refrain from making decisions or carrying out activities related to his duties in situations of conflict, even potential, with personal interests, those of his spouse, cohabitants, relatives, or relatives-in-law up to the second degree.

Art. 7 - Conflict of interest and duty to abstain

1. The employee shall inform the head of the department to which he refers when he considers that there is a conflict, even potential, between the activities of his office and a personal interest of his own or of his spouse, cohabitants, relatives, relatives-in-law up to the second degree.
2. The communication shall be given, no later than 5 days after knowledge of the conflict, in written form, before any action is taken and shall contain any information useful for determining the relevance of the conflict.
3. The head of the office to which he is assigned, having obtained the necessary information, shall decide on the relevance of the conflict of interest and, if necessary, decide on abstention by adopting the consequent measures, notifying the employee concerned in written form.
4. If the conflict involves a manager, the decision is taken by the Director General; if the Director General is involved, the decision is taken by the Rector.
5. In the event that the conflict of interest, as set out in Article 5 subparagraph 8 of the Code of Ethics, concerns teaching and research staff, Articles 17 and 18 of the same Code shall apply and the Senate Committee for the Implementation of the Code of Ethics decides on the conflict.
6. The lack of or late, incomplete or false reporting leads to disciplinary liability.

Art. 8 - Prevention of corruption



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1. The employee is obliged to comply anti-corruption legislation and the University anti-corruption plan and to report to the University any potential unlawful situations, of any kind, of which he has become aware, providing any necessary information and any relevant documents.
2. In order to protect his privacy, the employee reports directly to the Head of the Prevention of Corruption, who, having acquired summary information:
 - a) if he considers that the report merits further investigation, he transmits the documents to the competent internal bodies within five days, without prejudice to the obligation to report to the judicial authorities, and takes any measure necessary also to protect the employee who made the report, including by maintaining his anonymity as far as possible or, alternatively, by adopting appropriate organisational measures;
 - b) if he considers the report to be unworthy of further investigation, he gives a motivated communication to the reporting employee.

Art. 9 - Transparency, traceability and internal communication

1. The employee shall observe the current legislation and the University's three-years Transparency and Integrity Program.
2. The employee takes particular care in carrying out transparent administrative action and in managing the content of information in his possession in order to avoid damages to the University's image.
3. In order to guarantee the continuity of the office activity, as well as the availability, traceability and sharing of information, the employee uses, where provided for, the University's IT tools, following the storage methods laid down by the internal procedures.
4. The employee takes particular care in the production and publication of data in open format, pursuant to Article 7 of Legislative Decree No. 33 of 14th March 2013.

Art. 10 - Behaviour in private relationship

1. In private relations, including extra-institutional relations with public officials in the performance of their duties, the employee shall not exploit or refer to his position in the administration to obtain benefits that are not due to him and shall not engage in any other conduct that may harm the image of the University.

Art. 11 - On-duty behaviour

1. Without prejudice to the observance of the deadlines of the administrative procedure, the employee, except for justified reasons, shall not delay or behave in such as to cause other employees to carry out activities or take decisions for which he is responsible.
2. The worker orients his activities towards achieving the results assigned to him and to his organisational unit, operates in accordance with the principles of cost-effectiveness, efficiency and efficacy and applies a logic of cost containment, which does not compromise the quality of results
3. The employee makes himself available and offers the utmost cooperation in relations with colleagues, with other offices of the University and with other public administrations, ensuring the exchange and transmission of information and data in any form, including telematics, in compliance with the regulations in force. Moreover, the employee ensures his cooperation to colleagues and other offices in the communication of all operational and procedural indications related to the execution of his activity.
4. The employee uses leave to abstain from work, however denominated, in accordance with the conditions laid down by law, regulations and collective labour agreements.



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5. The employee guarantees the actual presence on duty, pursuant to Article 55 - quinquies of Legislative Decree No. 165 of 30th September 2001, through the correct and diligent use of the attendance recording systems made available by the University.
6. The employee uses the spaces, furniture, materials, equipment, IT tools and telephones made available by the University with particular care and diligence. The employee shall use the means of transport, which may be made available by the University, only for the performance of official duties, refraining from transporting third parties, except for office reasons.
7. The employee who uses equipment, machines or other devices is obliged to observe the specific regulations, directions for use and all precautions to prevent and avoid risks to his own health or that of third parties.
8. The employee who receives goods of the University or of other entities, with which the University has a contract or agreement, for use for reasons of service, assumes the obligations of custody and protection prescribed by the applicable regulations. The employee shall not transfer, not even temporarily, the above-mentioned goods to third parties, except in the cases provide for by the law.
9. The employee shall guard the IT tools, with particular care and diligence, as well as the access credentials to the information systems made available by the University, also in order not to jeopardise their IT security.

Art. 12 - Relations with the public

1. In relations with the recipients of administrative action, the employee shall ensure equal treatment on equal terms, also refraining from arbitrary actions that have a negative effect on the recipients of the administrative action or result in discrimination against them of any kind.
2. The employee maintains an appropriate demeanour and professionalism in relations with the public; in particular, in relations with users, he acts in a collaborative manner, guaranteeing availability and promptness in the management of activities and processes which involve them.
3. The employee in contact with the public, unless otherwise indicated by the service, shall be recognised by visibly displaying the badge or other identification medium provided by the administration. The employee operates in a spirit of service and fairness and, when answering letters, telephone calls and e-mail messages, operates as promptly, completely and accurately as possible. If he is not competent by virtue of his position or subject matter, he shall direct the person concerned to the competent official or office of the same administration. In the operations to be carried out and in the processing of dossiers, the employee shall respect, unless otherwise required by the service or in a different order of priority established by the administration, the chronological order.
4. The employee must be clear and exhaustive in providing answers to the various requests received, which, unless justified, must be returned to the applicant no later than 5 working days; if the request is made electronically, the employee shall use the same tool through which the request was submitted, taking care to prepare the answer in a timeframe that corresponds to the content of the question and in any case adequate to the standards of efficiency. Furthermore, all the appropriate elements for identifying the person in charge of the reply must always be highlighted.
5. The employee does not make commitments or anticipate the outcome of his own or others' decisions or actions related to the office, except in permitted cases. He shall provide information and news concerning administrative acts or operations, whether in progress or concluded, in the cases provided for by the provisions of the law and regulations on access. He issues copies and extracts of deeds or documents within its competence, in accordance with the procedures established by the rules on access and the University regulations.



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6. The employee observes official secrecy and the regulations on the protection and processing of personal data and, if he is requested orally to provide information, deeds, non-accessible documents protected by official secret or by the provisions on personal data, he informs the requester of the reasons for not granting the request.

Art. 13 - Special rules for Managers

1. Managers perform their duties with diligence and pursue their assigned goals by adopting an appropriate organisational behaviour in accordance with Art. 13 of the National Code of Conduct, the current National Collective Labour Contract and the University regulations. Managers also observe and supervise the compliance with the disciplinary, transparency and anti-corruption rules as well as those on absence and leaves of absence, incompatibilities, cumulation of employment and work assignments by employees of the structure for which they are responsible. The manager is required to inform the Director General, before assuming his duties, of shareholdings and other financial interest that may place him in a conflict of interest with the public function he carries out, and to declare if he has relatives or relatives-in-law up to the second degree, spouse, cohabiting partner who carry out political, professional or economic activities that place them in frequent contact with the office he is going to manage or who are involved in the decisions or activities related to the office. The director provides information on his assets and annual declarations of income subject to personal income tax as required by law.
2. Within the limits of available resources, managers take care of the organisational well-being in the structure they manage, promoting the establishment of cordial and respectful relations between staff members; they take initiatives aimed at the circulation of information, training and updating of staff, inclusion and valorisation of differences in gender, age and personal conditions. The managers also ensure a fair distribution of workloads within their structure and supervise and remove any deviations in workloads due to the negligence of certain employees. The workers may report to the trade union representatives and the workers' safety representatives any disparities in the allocation of workloads by the manager, for their assessment and possible request for intervention by the General Director.
3. Managers shall promptly take the necessary actions if they become aware of an offence, start and complete, if competent, the disciplinary procedure, or promptly report the offence to the disciplinary authority, cooperating where requested.
4. Managers shall behave loyally and transparently and adopt an exemplary and impartial conduct in their relations with colleagues, collaborators and recipients of administrative action. Managers also ensure that the resources allocated to their office are used for exclusively institutional purposes and, in no case, for personal needs.
5. Managers, within the limits of their possibilities, promote the dissemination of knowledge of good practices and good examples in order to strengthen the sense of trust in the University.

Art. 14 - Contracts and other negotiation acts

1. In the conclusion of agreements and negotiations and in the conclusion of contracts on behalf of the University, as well as in the execution of the same, the employee shall not use third-party mediation, nor shall he pay or promise to pay any benefit to anyone by way of intermediation, or to facilitate or have facilitated the conclusion or execution of the contract. This subparagraph does not apply to cases in which the University has decided to use professional intermediation.
2. The employee shall not conclude, on behalf of the University, contracts of tender, supply, service, financing or insurance with companies with which he has entered into private contracts or received other benefits in the previous two years, with the exception of those concluded pursuant to Art. 1342 of the Civil



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Code. In the event that the University concludes tender, supply, service, financing or insurance contracts with companies with which the employee has entered into private contracts or received other benefits in the previous two years, the employee shall abstain from taking part in the adoption of decisions and activities relating to the execution of the contract, drawing up a written record of such abstention to be kept on file in the office.

3. The employee who concludes agreements or negotiations or signs contracts in a private capacity, with the exception of those concluded pursuant to Article 1342 of the Civil Code, with private individuals or organisations with whom he has concluded, in the preceding two years, tender, supply, service, financing and insurance contracts, on behalf of the administration, shall promptly inform in writing the head of the office.
4. If the manager finds himself in the circumstances described in subparagraph 2 and 3, he shall inform in written form the Director General.
5. If the Director General finds himself in the circumstances described in subparagraph 2 and 3, he shall inform in written form the Rector.
6. The employee who receives oral or written complaints regarding the work of the office or that of his collaborators from natural or legal persons taking part in negotiation procedures to which the University is a party shall immediately inform his hierarchical or functional superior in written form.

Art. 15 - Supervision, monitoring and training activities

1. The managers of each structure supervise the application of the rules contained in this Code. As part of its cognitive and supervisory activities, even before the charges are raised, the Disciplinary Authority has access to any document and may acquire any relevant information.
2. The activities carried out pursuant to this Article shall comply with the provisions contained in the three-year Corruption Prevention Plan adopted by the University. The Head of Corruption Prevention shall ensure the dissemination of knowledge of the Code of Conduct and of the Code of Ethics within the University, the annual monitoring of their implementation, pursuant to Art. 54, paragraph 7, of Legislative Decree No. 165 of 30th March 2001, as well as their publication on the institutional website.
3. The Head of Corruption Prevention may propose the drafting of information notices and circulars and any other useful initiative.
4. Training activities on transparency and integrity are provided to staff, enabling them to achieve 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.

Art. 16 - Liability for breaches of duty

1. Breach of the duties and obligations set out in this Code, in the National Code of Conduct and in the Three-Year Corruption Prevention Plan constitutes conduct contrary to official duties and determines disciplinary liability verified at the outcome of disciplinary proceedings, in compliance with the principles of gradualness and proportionality of sanctions.
2. The disciplinary procedure for technical-administrative staff takes place in compliance with the provisions of Legislative Decree No. 165 of 30th March 2001 and the contractual conditions in force. With regard to collaborators, the violation of the rules contained in this Code is assessed by the head of the structure that conferred the assignment.
3. Breaches by teaching and research staff of the principles set out in this Code are assessed by the Disciplinary Board, pursuant to the current University Regulation on Disciplinary Proceedings for Teaching and Research Staff.



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4. Any breach of obligations and violations provided for in this Code shall also be taken into account for the purposes of measuring and evaluating individual performance, with the related consequences in terms of the allocation of economic incentives.
5. The obligations and consequent assumptions of liability of employees under laws, regulations or collective labour agreements remain unaffected.
6. If the same conduct results in a disciplinary violation and a violation of the code of ethics, proceedings are taken pursuant to Article 18 subparagraph 7 of Rector's Decree No. 285 of 29th May 2014.

Art. 17 - Final provisions

1. This Code comes into force on the day following its enactment by Rector's Decree. It is published on the University website.