

# Code of Conduct of the University of Luxembourg

**Date of approval :** 28 May 2020

**Approval:** Board of Governors of the University of Luxembourg

25 September 2023: updates to make web links accessible and associated minor text adjustments.

## University of Luxembourg - Code of Conduct

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| <b>Subject</b>                           | This Code of Conduct has been developed to provide principles and standards of behaviour for the University of Luxembourg (the “University”).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Scope</b>                             | <p>The Code of Conduct applies to the “University Community”:</p> <ul style="list-style-type: none"> <li>- all Bodies and committees of the University;</li> <li>- University staff paid by the University: academic and research staff, administrative financial and technical staff; doctoral researchers; seasonal student workers;</li> <li>- Associate academic and research staff members: Affiliate Professors, Guest Professors, Honorary Professors;</li> <li>- Adjunct teaching staff members<sup>1</sup> ;</li> <li>- Individuals who are seconded or delegated to work at the University;</li> <li>- Consultants, contractors, including Senior Professors and Emeritus Professors.</li> <li>- Individuals who perform services for the University as volunteers and who assert an association with the University.</li> </ul> <p>A separate Code of Conduct for students<sup>2</sup> is set out in the Charte des Usagers annexed to the Règlement des études as part of the University’s commitment to supporting its student community, but students are also expected to adhere to the general principles and standards set out in this Code.</p> <p>Visitors to the University should also adhere to the principles of this Code.</p> |
| <b>Complementary applicable policies</b> | <p>The present Code of Conduct should be read in conjunction with other official texts of the University, such as the modified <a href="#">Law</a> of 27 June 2018 on the organisation of the University of Luxembourg , the <a href="#">Règlement d’ordre intérieur</a> (ROI), the <a href="#">Règlement des études</a> and the University’s <a href="#">Collective Bargaining Agreement</a>. The Code complements and does not supersede these texts.</p> <p>The Code cannot address every situation and is not meant to be exhaustive. Additional and more detailed and explicit policies may govern particular organisational units, functions or committees within the University, such as</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

<sup>1</sup> As defined in Article 29 of the modified Law of 27 June 2018 on the organisation of the University of Luxembourg

<sup>2</sup> Students in this context means “usager” of the University as defined in Article 1(11) and (12) of the modified Law of 27 June 2018 on the organisation of the University of Luxembourg .

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|                                                                                                          | <p>the Charter of the Board of Governors. It is the responsibility of each person working in those units to learn and adhere to those policies.</p> <p>Academic freedom applies to teaching and research staff in the pursuit of their teaching and research activity, as referred by the modified law of 27 June 2018 on the organisation of the University of Luxembourg.<sup>3</sup></p> <p>Research integrity is a key tenet for staff conducting research activity, including conformity with the <a href="#">European Code of Conduct for Research Integrity</a>, and the <a href="#">European Commission's Charter &amp; Code for Researchers</a>.</p> <p>Civil servants and State Employees according to the modified law of 16 April 1979 also have to respect the <a href="#">Civil Service Code of Conduct</a>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>Roles and Responsibilities within the University relating to advice on the Code of Conduct</b></p> | <p><b>Line Manager</b> (<i>responsable hiérarchique</i>) The first recommended resource for a clarification on a policy, regulation or law is the direct line manager. If the direct line manager cannot assist, other suggested resources are set out herein.</p> <p>The <a href="#">Animal Experimentation Ethics Committee (AEEC)</a> (<i>le comité d'éthique pour l'expérimentation animale</i>) delivers an opinion on any projects carried out at the University involving the use of animals for experimental or other scientific purposes. Please also see the <a href="#">AEEC intranet page</a> (internal).</p> <p>The <a href="#">Data Protection Office</a> (<i>bureau de la protection des données</i>) provides advice and guidance about EU General Data Protection Regulation 2016/679 (the GDPR), and monitors compliance with the University's Data Protection Policy in alignment with the GDPR. Please also see <a href="#">Data Protection intranet page</a> (internal).</p> <p>The <a href="#">Ethics Advisory Committee</a> (<i>la commission consultative d'éthique</i>) is responsible for promoting ethical values in the University.</p> <p>The <a href="#">Ethics Review Panel (ERP)</a> (<i>le comité pour l'éthique dans la recherche</i>) delivers opinions on the ethical aspects of research projects carried out at the University. Please also see the <a href="#">ERP intranet page</a> (internal).</p> |

<sup>3</sup> Academic freedom is defined in Article 1 of the modified Law of 27 June 2018 on the organisation of the University of Luxembourg as "freedom of thought and expression in teaching and research, without any political, economic, religious or ideological influence."

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|  | <p>The <a href="#">Gender Equality Officer</a> (<i>le délégué à l'égalité du genre</i>) and <a href="#">Gender Equality Committee</a> (<i>la commission d'égalité du genre</i>) assist the Rectorate in developing and implementing a University gender equality policy. Please also see the <a href="#">Gender Equality Intranet page</a> (internal).</p> <p><a href="#">Human resources</a> (<i>les services des ressources humaines</i>): The human resources department (SRH) provide guidance and support for staff on policies that govern employment at the University. Please also see the <a href="#">Human Resources intranet page</a> (internal).</p> <p>The <a href="#">Inclusion Office</a> and the <a href="#">Committee for Reasonable Adjustments</a> (<i>la commission des aménagements raisonnables</i>) propose reasonable arrangements for students with specific educational needs.</p> <p>The <a href="#">Litigation Committee</a> (<i>la commission des litiges</i>) can rule on an appeal concerning a disciplinary sanction of the Rector towards students, and on complaints against decisions based on Articles 32 to 37 and Article 39 the modified Law of 27 June 2018 on the organisation of the University of Luxembourg. Please also see the <a href="#">Litigation Committee intranet page</a> (internal).</p> <p>The <a href="#">Ombudsman</a> is a neutral and independent role, who can intervene on request to support students and university staff in preventing interpersonal and relationship disagreements escalating into conflicts. In the event of disagreement or conflict, they aim to resolve these confidentially and impartially through informal means. They evaluate the merits of each case and, as needed, send their recommendations to the relevant authorities for follow-up. The Ombudsman does not take administrative decisions, nor can they revise disciplinary measures.</p> <p>The <a href="#">Secretariat-General of the Board of Governors</a> (<i>Secrétariat du Conseil de Gouvernance</i>) can advise on matters relating to the ROI.</p> <p>The <a href="#">Health, Security and Safety Office</a> (<i>Bureau de la Santé, Sûreté et Sécurité</i>) coordinates and enhances procedures and resources in relation to health, safety and security. Please also see <a href="#">BSSS intranet page</a> (internal).</p> |
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|  | <p><a href="#">Staff Delegation</a> (<i>la délégation du personnel</i>): The mission of the staff delegation is to safeguard and defend the interests of the University's staff in terms of working conditions, job security and social status. Please also see the <a href="#">Staff Delegation intranet page</a> (internal).</p> <p>The <a href="#">Procurement Office</a> (<i>Le bureau des achats</i>) defines the purchase policy of the University in accordance with criteria including the ethics of managing public funds, and Value for Money. Please also see the <a href="#">Procurement Office intranet page</a> (internal).</p> |
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## **1. Leading principles promoted in this Code**

As members of the University community, we will maintain the highest standards of ethical conduct.

This Code provides a framework to guide us in meeting our obligations as members of the University community, in line with the University's aim to achieve the highest standards of international excellence in research and teaching, while also fully meeting its distinctive responsibilities as the country's sole public institution of research and higher education.

Academic freedom is a fundamental principle of the University, providing for freedom of thought and expression in teaching and research.

### **1.1 The environment we want to foster at the University**

#### **A positive working environment**

We aim to create and maintain a positive environment in which all members of the University community feel respected, and to create and maintain a climate of mutual support and cooperation.

We are committed to promoting fairness, inclusion, individual dignity, courtesy, sustainability, transparency, integrity, including scientific and research integrity, and professional growth, and to avoiding any unethical actions, which detract from our reputation for integrity and our commitment to trust and respect. This includes preventing harassment as foreseen in the [Collective Bargaining Agreement](#).

#### **A place of Diversity and Equal Employment Opportunity**

We acknowledge that the differences in backgrounds and experiences are a strength for our international, multilingual and interdisciplinary University. We work toward a culture enabling equal, respectful and supportive interactions beyond all discrimination.

We maintain at all times an attitude consistent with the willingness of the University to be an equal opportunity employer. Therefore, we have no tolerance for discrimination against or harassment, including sexual harassment, of any individual including on the basis of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, membership of a national minority, property, birth, disability, age, sexual orientation or political or any other opinion provided that the expression of those beliefs respects this Code.

We should offer support to those who are a victim of discrimination or harassment.

#### **A spirit of open communication and good cooperation**

Each of us is responsible for creating and promoting a productive work environment, in the interest of the University community by demonstrating a spirit of cooperation and good faith and communicating in an open and transparent manner. We shall also be expected to foster an atmosphere beneficial to good working relations, to enhancing the University's reputation, and to preventing personal conflict.

Line Managers should formulate clear instructions and set realistic goals and deadlines. They provide their staff with an ongoing, constructive and fair feedback on their working performance and accomplishments, and encourage such feedback on their own performance from their staff. Members of staff must be treated and assessed on the basis of their job description with respect and without favouritism.

Members of staff should carry out their responsibilities faithfully and to the best of their ability. They are entitled to voice disagreements constructively and respectfully but accept that disagreeing with a management decision does not necessarily make it wrong. Any member of staff who, in the performance of their responsibilities, encounters serious problems with their manager is entitled to inform the SRH accordingly, without incurring reproach.

There shall not be unreasonable or undue refusal to collaborate and share information with colleagues, as well as generally obstructive behaviour or systematic denigration.

### **A safe and healthy workplace**

We commit to providing a safe and healthy working environment.

We must not create health and safety risks to the University by bringing dangerous materials into our workplace without appropriate safeguards, or by being under the influence of alcohol or drugs.

We will report any workplace injury or situation or material that represents a health and safety risk to our line manager and the Security and Safety Office.

The [Health, Security and Safety Office](#) coordinates and enhances procedures and resources in relation to health, safety and security. Please also see [BSSS intranet page](#) (internal).

## **1.2 General principles**

### **Integrity**

We must fulfil our employment responsibilities with care and diligence, and our behaviour should reflect the principles of the Code.

We must conduct the activities and missions of the University in compliance with applicable laws, rules and regulations, as well as University policies and procedures.

### **Confidentiality and Data Protection**

We will not disclose unauthorised confidential, privileged, personal or sensitive data and information acquired in connection with our University activities. We will not use them for our personal gain.



We value discretion and we will respect at all times the privacy of the employees, students and all people with whom we engage in the course of our University duties. We avoid unnecessary disclosure of their private information, even in case of non-sensitive data.

We undertake to respect the University's [Data Protection Policy](#) in the course of our University activities. Please also see [Data Protection intranet page](#) (internal).

### **Disciplinary measures**

Failure to uphold the principles of the Code of Conduct may result in disciplinary sanctions to the extent foreseen in the [Collective Bargaining Agreement](#) for the University staff, up to and including termination of the contract or the employment relation.

### **Personal obligation**

We commit to read and to comply fully with the Code of Conduct.

Managers should champion the Code of Conduct and act as role models by following the Code's principles and behaviours.

## **2. Conflicts of interests**

A conflict of interest is a situation where our external, financial, private or personal interests are likely to appear to influence the impartial and objective exercise of our duties as University staff. This conflict of interest may be perceived, potential or actual.

We should always bear in mind that the University cannot achieve its mission if its reputation or standing with donors, grantors, the research community, students and society is compromised.

### **2.1 Conflicts of interest with our duties to the University**

***We do not allow our external, personal or financial interests to come into actual, potential or perceived conflict with our duties to the University.***

In the event that a situation arises that creates or appears to create a conflict between our interests (personal, financial or other) and the interests of the University, we shall report that situation immediately to our direct line manager and the SRH, and we shall immediately take any necessary action to resolve it.

#### **2.1.1 External activities conducted outside working hours**

Our engagement in external activity outside working hours must be compatible with the exercise of our University functions and in no way impede these. Further information is available on the University intranet [here](#).

### **2.1.2 Voluntary or Community-Based Work**

The University encourages us to be responsible citizens and to take on roles with charities and community organisations in a private capacity. We may engage in voluntary or community-based work during our free time without prior approval under the condition that such activities do not have a negative impact on our duties with regard to the University, do not give rise to conflicts of interest or do not affect the University's reputation.

### **2.1.3 Spin off businesses and activity**

The University encourages innovation and the creation of spin-off businesses resulting from its research. When we engage in spin-off businesses and activity resulting from the University's research, this must also be compatible with and not impede our University functions.

### **2.1.4 Personal interests – Families and Relatives:**

We shall not make, participate in, or attempt to influence career-related decisions regarding persons, , with whom we have a familial relationship<sup>4</sup>, or with whom there exists or has recently existed a personal relationship or close ties such as a supervisory relationship. This includes appointment, hiring, promotion or evaluation, and partners or spouses not participating in the same Dissertation supervisory committee. We should not be in the position of supervising or directing those persons.

### **2.1.5 Members of bodies and committees of the University**

Members of University bodies or committees will abstain from participating in any discussion or decision on issues where there is a potential conflict of interest. They should leave the meeting while the issue is being considered, and should in no way look to influence discussions or decisions on such issues. Further information on Conflicts of Interest in recruitment committees can be found in the [ROI](#), Title III, Section 2.

## **2.2 Conflicts of interest in research**

***We do not allow our external, personal or financial interests to come into actual, potential or perceived conflict with our duties to the research community and the society.***

In relation with our research activities, we can serve the scientific community including by acting as external reviewers, assess research programs, assess teaching programs, write references for candidates, and participate in the promotion of research staff. We will be honest and transparent in disclosing any conflict of interest according to the specific rules of the organisation for which the review is made.

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<sup>4</sup> As defined in Articles 36(4) and 37(5),(6) of the modified [law](#) of 27 June 2018, with reference to the modified [law](#) of 9 July 2004 on the legal effects of certain partnerships.

We will not allow commercial interests to compromise the quality of teaching programs or research agendas, or limit the exchange of scientific information.

We will conduct research in accordance with the highest standards of ethics and integrity in research, in line with the principles and practice of good research conduct as set out in the [European Code of Conduct for Research Integrity](#), and the [European Commission's Charter & Code for Researchers](#). The [Luxembourg Agency for Research Integrity](#) can also provide training and consultation on research ethics.

## 2.3 Gifts

***Perception is key! We do not accept favours, loans, services or business and professional opportunities if it might be perceived as an attempt to influence the performance of our duties.***

As a general principle, we do not accept gifts which are connected with our employment with the University, to prevent any perception of impropriety.

However gifts of a token value, such as minor items of food, drink or stationery can be accepted. Similarly, functional and proportionate hospitality such as an invitation to a business meal can be accepted where it is judged this creates no conflict with our University responsibilities. Gifts beyond this scope should be refused or returned to the donor or, if not practical, given to the University to avoid any perception of personal advantage.

We should also be conscious that donors may offer gifts to members of our immediate family with the intention of influencing University activity, and that this should be avoided.

In case of doubt about the value or propriety of a gift, we shall consult our Head of Department or Dean or Director.

Donations and legacy grants to the University are covered separately in the [ROI](#). Please also see the [University Charter on Fundraising](#).

## 3. Use of University resources

***We use University resources only for the purpose of achieving University goals and promoting University interests.***

As a public organisation largely financed by the government, it is essential for us to maintain the highest standards of stewardship for the property and resources entrusted to the University.

As a result, the use of University resources must be reserved for official purposes on behalf of the University. They may not be used for personal gain, or personal use except in a manner that is incidental, and reasonable in light of our duties.

University members are the most important resource of the University, and as such we will use their services solely for official purposes on behalf of the University and not for personal or private use.

Further University resources include, but are not limited to, the use of facilities, equipment such as computers and peripherals, University vehicles, University systems such as telephone systems, communication and IT systems, badges or the use of procurement tools such as purchasing cards.

## 4. Implementation

### 4.1 Clarification and interpretation

***Concerns and questions about how to correctly handle situations can arise. We should seek guidance where necessary with the appropriate resource.***

We can raise questions about interpretation of the Code of Conduct by reporting first to our line manager, and we can also contact [CodeofConduct@uni.lu](mailto:CodeofConduct@uni.lu). The Ombudsman, SRH and other relevant organisational resources of the University, such as those listed under “Roles and Responsibilities,” may also be approached for advice.

### 4.2 How to report violations or raise concerns

***We can report any act or failure to act that violates this Code of Conduct or applicable law or regulations.***

We condemn any form of dishonesty including misuse of University funds or property, fraud, theft, cheating, plagiarism or lying to the University.

We can report actual or suspected violations of the Code of Conduct to our line manager. If this is likely to be uncomfortable or the line manager is involved with the issue, the question or issue can be discussed with an appropriate organisational resource such as the Ombudsman or the SRH.

If we find out that we have breached the Code with regard to conflicts of interest with our duty to the University, we must promptly make full disclosure to our line manager, the SRH and the Head of the University Body or committee if relating to our participation in these, of all relevant facts and circumstances. We must cooperate with the University to ensure that all appropriate steps are taken to resolve the conflict of interest.

We expect that the Court of Auditors (“Cour des comptes”) and/or the police will be notified when circumstances reasonably indicate fraud or theft of University funds.

### **4.3 University support to reporting violations or raising concerns**

*The University protects and supports the employees who have the integrity to voice their concerns. It also protects the rights of those accused.*

Retaliation for raising a concern or an issue in good faith is prohibited. We will protect and support to the fullest extent those raising concerns, including in line with legal requirements. If we feel that we have been retaliated against, we should report to our line manager or we can also consult an appropriate organisational resource such as the SRH or the Staff Delegation.

The University will take disciplinary measures against those intentionally raising false accusations or information, and provide support to those against whom incorrect information or accusations were raised.

Further measures to protect and support the raising of concerns in good faith will be put in place in compliance with the [European Union Directive](#) on the protection of persons who report breaches of Union law, and its subsequent transposition into Luxembourg law.<sup>5</sup>

### **4.4 Obligation of the University to follow up the issues reported**

The University shall address concerns or issues raised, e.g. by conducting investigations into suspected violation to the Code of Conduct.

Such investigations will be conducted by an appropriate body as determined by the Rector and depending on the circumstances. All persons involved should cooperate with the follow-up and have an opportunity to give their side of the story. Proceedings will be confidential and heard in private. Issues will be monitored until a resolution is reached. If a violation is found, an action plan will be developed to prevent future occurrences.

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<sup>5</sup> The Directive requires EU Member States to transpose the Directive into national law by 17 December 2021.

### Definitions:

**Confidential or privileged information** is non-public information pertaining to the operation of any part of the University including, but not limited to, documents so designated, medical, personnel, or security records of individuals; anticipated material requirements or price actions; knowledge of possible new sites for University-supported operations; knowledge of forthcoming programs or of selections of contractors or subcontractors in advance of official announcements; and knowledge of investment decisions.

### Conflict of Interest:

- **Actual:** where there is a direct conflict between University responsibilities and a competing interest or obligation.
- **Potential:** where there are interests or obligation that could conflict with the performance of University responsibilities in the future.
- **Perceived:** where it could reasonably be perceived, or give the appearance, that a competing interest could improperly influence the performance of University responsibilities.

**Discrimination** : Discrimination means treating a person unfairly because of who they are or because they possess certain characteristics. The [European Charter of Fundamental rights](#) prohibits any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

**Employees:** University internal staff, and external staff such as Affiliate Professors, Guest Professors, Honorary Professors.

**External activities:** interests and activities of a member of the University community, which fall outside the scope of that member's professional activities at the University. These interests and activities include but are not limited to financial, academic or employment interest of the member. These activities can be classified as private or professional activities.

**Financial interest:** anything of value, including but not limited to salary or other payments, gifts, equity interest, intellectual property rights held in an entity outside of the University.

**Gift:** any gratuity, entertainment, hospitality, loan, or other tangible or intangible item having monetary value, including but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the official position of a University staff employee.

**Harassment** is unwanted conduct which has the purpose or effect of either violating the claimant's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, as defined in Article L. 251-1 of the [Luxembourg Employment Code](#).

**Immediate Family Member:** parents, spouse/partner, siblings, children.

**Investigation:** An investigation is a formal collection, examination and evaluation of relevant information to determine whether misconduct has taken place or, if misconduct has already been confirmed, to assess its extent and consequences or determine appropriate action.

**Personal interest:** means a personal relationship (including spouse, de facto partner, immediate family, close friend, intimate relationship, financial dependent or business partner) which a reasonable person might perceive as liable to influence decision making. Private or personal interests can include any actual and potential advantage for ourselves, our families, other relatives or circle of friends and acquaintances.

**Personal data :** any information of any type, regardless of the medium, including images and audio or video material, relating to an identified or identifiable natural person (“data subject”); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number or one or more factors specific to his/her physical, physiological, mental, economic, cultural or social identity.

**Sensitive data** is special categories of personal data in the meaning of the GDPR. Special categories of personal data is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership or genetic data, or biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation.

**Sexual harassment** is defined by the [Luxembourg Employment Code](#), Article L245-2, as any behaviour with a sexual overtone or any behaviour based on gender from a person who knows or ought to know that it affects the dignity of the person at work when one of three conditions is met:

- The behaviour is misplaced, inappropriate and hurtful for the person who is the object of it;
  - The fact that someone refuses or accepts such behaviour from his employer, a worker, a client or a supplier is used explicitly or implicitly as grounds for a decision affecting the rights of this person as regards vocational training, employment, employment maintenance, promotion, remuneration or any other decision related to employment; or
  - Such behaviour creates a climate of intimidation, hostility or mortification for the person who is the object of it.
- This behaviour may be physical, oral or non-oral. The intentional element is presumed.

**Voluntary or community-based work** refers to any activity, in which we provide pro bono services to a cultural, artistic, scientific, educational, legal, sporting, religious, charitable or any other non-profit organisation. Such positions may entail a wide range of responsibilities.