

# CODE OF CONDUCT ON INTEGRITY

## LEIDEN UNIVERSITY

(including main provisions and standards of integrity for staff members)

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# 1. Introduction

## 1.1 Why this Code of Conduct?

The Code of Conduct on Integrity is intended to provide a coherent picture of the integrity policy of Leiden University. The Code of Conduct on Integrity forms a framework for explicitly bringing the main provisions in the area of integrity at Leiden University to the attention of employees and external staff who work for the University. The Code facilitates access to various types of provisions pertaining to integrity, with the aim of contributing to awareness of integrity-related issues.

## 1.2 Responsibility of Leiden University

Leiden University has both an academic and a social responsibility. Its role focuses not only on the present day, but also on the interests of future generations.

Leiden University's motto is 'Praesidium Libertatis', bastion of freedom. Both within and outside its walls, Leiden University aims to embody the following core values:

- Freedom of spirit, thought and speech
- Independent development of research and teaching
- Quality and academic integrity
- Responsibility towards society
- Inclusiveness and diversity

Source: Leiden University Institutional Plan 2015-2020 'Freedom to Excel'

Leiden University plays an important role in the knowledge society, and as an autonomous institution it continuously interacts with society through teaching, research and knowledge transfer, and by providing more direct services.

## 1.3 Integrity awareness and the function of the Code of Conduct

The integrity of Leiden University is expressed in the conduct of its staff. It is therefore important to understand what principles underlie the concept of integrity. Integrity only acquires real meaning in day-to-day practice and in the discussions that take place about it.

Norms and values may be subject to differences in interpretation, therefore a pre-determined framework is required against which to test specific conduct. The Leiden University Code of Conduct for Integrity provides a framework for acting with integrity. However, a Code of Conduct can never provide for every possible situation. Moreover, circumstances are constantly changing as a result of new developments.

We therefore expect our employees to assess whether they are acting with integrity and to discuss this subject on a regular basis with their colleagues and supervisors.

The Code of Conduct clarifies what is meant by integrity and acting with integrity.

The Code of Conduct has a protective function; it helps employees to recognise risks, and to resist temptations and external pressure. It also helps them to understand what is allowed and not allowed in frequently occurring situations.

## 1.4 Relationship of Code of Conduct to other University regulations

As part of the integrity policy, this Code of Conduct focuses primarily on conduct. Leiden University has established a number of rules and obligations with respect to integrity. The Code of Conduct raises awareness of these rules. The Code of Conduct is supplementary to the existing regulations and does not replace them.

It is therefore essential that employees become acquainted not only with the Code itself but also with the provisions to which the Code refers.

The Code does not describe every single provision that may **apply to an employee's conduct**. It is the employee's responsibility to know which provisions apply in his or her specific situation.

## 1.5 Status and scope of this Code of Conduct

This Code of Conduct has been adopted by the Executive Board and applies to all Leiden University employees. Every employee is expected to strictly comply with the Code of Conduct and the provisions regarding integrity to which it refers. In addition, the specific division where an employee works may have its own integrity-related house rules and working instructions that the employee is expected to observe, after being informed about them.

In addition to its employees, other people also work at Leiden University, such as interns, employment agency staff and externally hired staff. External staff are expected to endorse the principles of the Code and to act in the spirit of the Code. For this reason, the Code of Conduct should be explicitly brought to the attention of external staff, and reference should be made to it as much as possible in the procurement, hiring and tendering procedures, to ensure that external staff are aware of its contents.

## 2. Being a good employer and being a good employee

### 2.1 Being a good employer

Like any other employer, Leiden University has a duty of care for its employees. A good employer behaves ethically towards its employees, does not abuse its position of authority, respects the rights of its employees, and ensures good working conditions and a safe working environment. **The employer's duty of care also** encompasses a comprehensive integrity policy. This means, among other things, that the employer must protect its employees against integrity risks by structuring its organisation and work processes accordingly (for instance through segregation of duties), creating the required facilities (for instance a confidential counsellor), and formulating a code of conduct for acting with integrity. As an employer, one of Leiden University's responsibilities is to create a safe climate, and this is a precondition for being able to discuss and address integrity issues within the organisation. Being a good employer entails, among other things, that Leiden University has a responsibility to formulate an integrity policy, disseminate it in both word and deed, and promote awareness of what is meant by acting with integrity.

### 2.2 Being a good employee and general norms

Employees are required to behave as good employees (Article 1.8, paragraph 2 of the Collective Labour Agreement of Dutch Universities). The concept of 'good employee' is based on a number of core values and places integrity in a broader context; integrity rests primarily on the core values of reliability, autonomy, impartiality, openness, confidentiality and scrupulousness. These values define general norms and give direction to the conduct expected from an employee. Some areas, however, are subject to more specific norms and rules, and these are covered in the following chapters.

This Code of Conduct helps to clarify what is meant by acting with integrity, and in this way further defines **the concept of 'good employee'**. By focusing on the **underlying intention** behind the Code of Conduct and the values discussed below, employees can make the right decision in situations for which the Code of Conduct does not specifically provide.

Acting with integrity takes place in day-to-day practice and is not bound to a **person's** workplace and contracted hours. In our digital world with its flexible work methods, the line separating work and private life is quite thin. It is important for employees to be aware that private behaviour that may harm their employer can have an impact on their acting as a good employee. In the performance of his duties and in his personal and concerted behaviour towards third parties, an employee is expected to act in the spirit of the goals of the university as much as possible (article 1.8, third paragraph, of the Collective Labour Agreement of Dutch Universities).

## 3. Conflict of interest and specific norms and rules

### 3.1 Conflict of interest

Conflict of interest is one of the threats to an employee's integrity and therefore requires constant attention, both from the organisation and from its staff.

Leiden University recognises that its staff and students have various interests and contacts within the local, national and international community. We assume that these links to external organisations are normally in the public interest and also benefit the University and the employee in question. However, the University also recognises that such connections may give rise to (potential) conflicts of interest. Conflicts of interest can have adverse effects not only on the University but also on the employee concerned and on his or her colleagues.

It is important to recognise, address and resolve conflicts of interest in a timely fashion. Even if it turns out to be a false alarm, any potential conflict must be dealt with seriously and with integrity.

A conflict of interest is defined as a situation in which the employee has private interests that conflict with and may adversely influence the execution of his or her University tasks and responsibilities.

#### Types of conflicts of interest

We can distinguish three types of conflicts of interest:

1. actual: the private interests of the employee are in conflict with his or her professional responsibilities;
2. perceived: the private interests appear to interfere with the execution of the employee's tasks, but in reality do not;
3. potential: the employee has private interests that may lead to a conflict of interest if he or she is given certain tasks and responsibilities in future.

#### Types of interests

Conflicts of interest refer to conflicts between private interests and interests related to an employee's position. We can distinguish two types of private interests:

1. financial interests: this refers to (potential) financial loss or gain for the employee, his or her partner, family member or friend;
2. non-financial interests: this refers to any non-financial benefit or advantage, including, but not limited to, enhancement of an individual's career, education or professional reputation, access to privileged information or specific facilities. It also refers to promoting a specific person or organisation with which the employee has a relationship, to the disadvantage of a person or organisation with which the employee does not have a relationship.

The responsibility for avoiding conflicts of interest rests with the employee. In case of doubt, the employee should consult his or her supervisor. The employee should immediately report any situation involving a (possible) conflict of interest.

Chapter 5 describes the Procedure for Reporting a Conflict of Interest.

Sections 3.2 to 3.7 describe situations in which conflicts of interest may form a serious threat to the **employee's integrity**.

## 3.2 Personal gain

A Leiden University employee may encounter a situation in which a business associate offers something to him or her. This may be a tangible gift, but it may also be a service or a favour. This creates integrity risks. An important risk in this context is the risk of influence and a conflict of interest. It is essential for the employee to safeguard his or her independence and avoid even the semblance of a conflict of interest.

Article 1.15 of the Collective Labour Agreement of Dutch Universities states the following:

In his capacity, the employee is not allowed to claim or request reimbursements, remuneration, donations or promises from third parties. In his capacity, the employee is not allowed to accept reimbursements, remuneration or gifts, unless the employer grants its permission.

The basic principle for payments, remunerations (including services or favours) and gifts is that these should not be accepted if doing so could affect **the employee's** independence. Accepting them is therefore in any case not allowed in negotiation situations, in situations involving suppliers of goods or services, and in situations where **the giver still 'needs' something (such as an order)**.

If none of the above applies, employees are allowed to accept occasional small gifts with a value of €50 or less. In such cases, the employee should inform his or her supervisor and in case of doubt consult with his or her supervisor. Occasional small gifts usually represent a courtesy exchange without ulterior motives, for example a bottle of wine or flowers in thanks for giving a presentation. More expensive gifts should not be accepted. They should be politely turned down or sent back.

As in the case of accepting gifts, for invitations (including invitations to special events such as theatre visits and sports events) the context in which the invitation takes place is important.

Networking is sometimes **part of the employee's job**. In this context, the employee may receive invitations from external parties. Employees are allowed to accept invitations in networking situations, on condition that doing so will **not endanger the employee's** independence. This is why employees should only accept invitations from third parties that are functional, restrained and appropriate and do not endanger the **employee's** independence. Another aspect that should be taken into account is the reciprocal nature of invitations; after all, when an invitation is reciprocated the employee's **independence** is less likely to be endangered.

Employees are not permitted to accept invitations in negotiation situations, in situations involving suppliers of goods or services, and in situations where **the giver still 'needs' something**.

### 3.3 Ancillary activities and incompatible functions

Leiden University employees execute their tasks within, for the benefit of, and in interaction with society. They are engaged in society and fulfil many different roles there, in some cases including ancillary activities. Ancillary activities can have added value for academic knowledge, society and the employee him/herself. Ancillary activities can require more time or less time than **the employee's position at Leiden University**. Ancillary activities can also contribute to **the University's** social responsibility. This is why Leiden University greatly encourages its staff (both academic and supporting) to be active within society.

However, to safeguard transparency, a proper **and ethical fulfilment of the employee's tasks, and social accountability**, and barring the exception mentioned below, it is important for the University to be aware of **its employees' ancillary activities and for these activities to be performed with the employer's knowledge and approval**. To implement the provisions of Article 1.14 of the Collective Labour Agreement of Dutch Universities on ancillary activities and the Sectoral scheme covering ancillary activities we have established the Leiden University Procedure for Ancillary Activities.

This Sectoral scheme defines ancillary activities as: all activities that an employee carries out which are not performed in his or her capacity as a Leiden University employee, regardless of whether or not the employee receives a remuneration for the activities, or whether the activities are carried out during or outside contracted hours. Even if the main task of the person is elsewhere, these task is **defined as 'ancillary activity'**.

The Sectoral scheme involves a notification obligation, and specifies which ancillary activities do not have to be reported, namely activities that clearly have no relation with the employee's work for the university and that is obviously not detrimental to the interests of the university in any way and that do not threaten the effective and full performance of the employee's university duties and are performed outside working hours, and for which no payment of any kind is received.

In such cases the employee is responsible for assessing correctly whether or not to report ancillary activities, and must therefore personally assess the integrity risks involved.

Relevant questions when assessing integrity risks include the following:

Do the ancillary activities **overlap with the employee's position at Leiden University**? Do they make use of the same network (in terms of staff, companies and institutions)? Have they been obtained as a result of the **employee's position at the University**? Do they require the employee to make use of information, knowledge or skills inherent to his or her position at the University? Does the organisation or person for which the activities are carried out have a questionable reputation?

Ancillary activities and their compatibility with **the employee's position at the University** may be discussed in the P&D interview. In addition, agreements can be made and recorded in the P&D interview regarding the conditions under which ancillary activities are permitted.

The Sectoral scheme applies to all staff, both full-time and part-time, and both academic and supporting. It makes no distinction between ancillary activities for public or private organisations, ancillary activities

performed on the basis of an appointment or employment contract, and ancillary activities performed on assignment or as a freelancer.

To promote social transparency, ancillary activities are in principle published on the website. For each ancillary activity, the relevant organisation and a description are shown on the website.

The Sectoral scheme is **limited** to “activities” and therefore does not include financial or other interests in organisations and/or income from other sources, such as shares.

Permission will not be granted for ancillary activities that are **not compatible with the employee’s position at the University**. This applies to activities that may interfere with the interests of Leiden University and/or the **employee’s** job performance. Ancillary activities may never conflict with the requirements of academic integrity; more specifically, it may not threaten academic independence.

### 3.4 Academic integrity

Within Leiden University all employees involved in teaching and research bear responsibility for promoting and safeguarding academic integrity.

To this end, general principles and rules for professional academic conduct must be observed at all times.

The Netherlands Code of Conduct for Research Integrity 2018 of the Association of Universities in the Netherlands (VSNU) offers a detailed elaboration of these principles, which are also endorsed by Leiden University. The code lists principles to which members of the academic community must adhere individually, in contact with one another, and in dealing with society at large. These principles can be seen as general ideas defining ethical academic practice and as an instrument for self-regulation.

One of the instruments for assessing academic integrity is the right to complain if University employees violate (or are suspected of violating) academic integrity. To implement this right of complaint, the University has established the Leiden University Regulation on Complaints regarding Academic Integrity.

If the claimant or defendant does not agree with the recommendation of the Academic Integrity Committee and the (initial) decision of the Executive Board, the claimant or defendant may submit their case to the Netherlands Board on Research Integrity (LOWI). The LOWI will then issue an independent recommendation to the Executive Board.

### 3.5 Procurement, tendering and hiring of temporary personnel

Within various divisions of Leiden University, employees are responsible for procurement activities for Leiden University as a legal entity governed by public law. The Leiden University Procurement Guidelines cover all procurement activities carried out by or at the request of the authorised mandate holders within Leiden University for the legal entity that is Leiden University. These guidelines concern the procurement of products (supplies), services and works.

Employees responsible for procurement are expected to comply with European guidelines, legislation and regulations, as well as **the University's** procurement policy as established in the Procurement Guidelines, and in this context to follow the procurement and tendering procedures set down in the Administrative Organisation Handbook of their own division.

Responsibility for the procurement of works and works-related services and supplies and the accompanying procedure rests in part with the Real Estate Expertise Centre. The Real Estate Expertise Centre occupies an exceptional position because it is responsible for establishing in advance with respect to any planned procurement of works-related services and/or supplies whether these supplies and/or services are indeed works-related, which in turn has consequences for the procurement / tendering procedure to be followed. Leiden University is one of the signatories of the Code of Conduct on Public Commissioning of the Public Commissioning Forum for the Building Sector, and expects its employees in this field to adhere to this code and its principles for acting with social responsibility and integrity, and for reliability and transparency.

**The University's procurement policy imposes a number of obligations** on employees responsible for procurement on behalf of the University. The most important ones are as follows:

- notifying the Procurement Department of any **purchase in excess of €30,000**;
- applying a **multiple tendering procedure for orders between €50,000 and €100,000**;
- for orders between **€100,000 and €221,000**, considering whether to hold a national tendering procedure, partly based on the recommendation of the Procurement Department;
- following a European tendering procedure for orders in excess of **€221,000**;
- compulsory use of the (framework) agreements that Leiden University has concluded via the European tendering procedure.

The full text of the procurement policy can be found on the webpage on procurement policy (only available in Dutch, under *inkoop*).

When hiring temporary personnel, account should be taken of the agreements made with contracted suppliers, as well as the prevailing procurement policy as established in the above-mentioned Procurement Guidelines and more specifically the Guidelines for Hiring Temporary Personnel.

Employees responsible for procurement must at all times remain aware of and strictly comply with the prevailing rules. This is because a procurement procedure is highly sensitive when it comes to integrity; after all, we are spending public funds. Procurement therefore has to be done carefully, effectively and independently, and in a spirit of honest competition. This is why one-on-one contracting is only permitted below a certain amount, and any orders above this amount must involve a tendering procedure. Starting from a certain threshold amount, public tendering must take place in accordance with European guidelines. This provides a context for suppliers to compete with one another on price and quality. The objective is equal opportunities, decisions based on commercial arguments and no squandering of public funds. Another essential element is transparency, which prevents orders being privately awarded to friends.

Employees in charge of procurement should specifically beware of corruption and bribes, and make sure that they avoid (any appearance of) favouritism, manipulation or conflict of interest. They should treat

available information with care and avoid making unwarranted commitments or creating expectations when negotiating with potential suppliers. Employees should refrain from interference that might lead to them becoming involved in procurement activities on a personal rather than a professional basis. Employees should not take part in consultation or negotiation situations in which one of their family members, their partner and/or one of their friends is or works on behalf of the external negotiating party(-ies). Employees are not permitted to make private purchases via the employer. It goes without saying that offering, accepting or awarding special favours is not permitted. Special favours are defined as favours that may injure other parties or persons legally or financially. This includes such practices as giving someone precedence in purchases or sales, directly awarding orders that should have been tendered according to the guidelines, or unreservedly promising follow-up orders or replacement orders.

### 3.6 Working for third parties

Leiden University's activities in the field of teaching, research and knowledge transfer are usually financed with public funds, but they can sometimes also be financed with funds obtained from third parties. The Regulations on Working for Third Parties further specifies the working method and standards that play a role in this context. These regulations are binding for all employees, hired personnel and students who perform activities within Leiden University. Information regarding working for third parties can be obtained from LURIS on tel. 071-527 2558 or by email at [luris@luris.nl](mailto:luris@luris.nl).

Address:

Luris

Langegracht 70 (PLNT Leiden)

2312 NV Leiden

### 3.7 Financial interests in enterprises

It may happen that a Leiden University employee has financial interests in one or more companies that are not listed on the stock exchange, or that he or she trades in stocks or is planning to do so. This can entail risks, such as conflicts of interest, or prior knowledge and accompanying potential misuse of price-sensitive information. It is important to remain open and willing to talk about these things. This also includes the **financial interests of the employee's partner**, because such interests are indirectly shared by the employee in question.

When an employee has financial interests as described above, the following applies:

In accordance with the Procedure for Reporting a Conflict of Interest, the employee should report his or her financial interests that may affect the interests of Leiden University, insofar as they relate to **the employee's** job performance. In case of doubt regarding the notification obligation, the employee should contact his or her supervisor.

Financial interests that may harm Leiden University are not permitted.

Confidential price-sensitive information obtained by the employee by virtue of his or her position should be kept strictly confidential and never used for personal gain.

## 4. Other norms and rules

### 4.1 Confidentiality and confidential information

Leiden University employees usually have access to a great deal of information, including confidential and privacy-sensitive information.

Under Article 1.16 of the Collective Labour Agreement of Dutch Universities, employees are obliged to keep confidential all information derived from their position. This obligation also applies following termination of the employment contract. This obligation to maintain confidentiality is without prejudice to the compliance with academic freedom of the academic staff.

This means not only that an employee is not allowed to publicise confidential information, but also that he or she should not carelessly leave such information lying around, or give other parties access to it. This requires treating information and data carriers (such as iPads, smartphones and USB sticks) with care and complying with specific (information) security rules. Employees are expected to be aware of the risks involved.

Employees are expected to protect the confidentiality of information, to use it only for the purpose for which it was provided, and to only share it insofar as appropriate.

Employees should make sure that their data carriers are protected with passwords and access codes. If this is technically impossible, the information itself should be encrypted as far as possible.

### 4.2 Privacy-sensitive data and data breaches

Everybody has a right to respect and protection of their private life and to have their personal data treated with care. The rules regarding privacy have been laid down in the General Data Protection Regulation. Every employee should treat privacy-sensitive data with care and use it only for the purpose for which these data were collected. The data may never be released to third parties. If an employee is asked by a third party to hand over privacy-sensitive data, he or she should contact his or her supervisor. It goes without saying that the supervisor may never force the employee to act in breach of the General data Protection Regulation.

Situations can arise which might involve a data breach as part of a security incident. Security incidents refer to situations such as loss of a USB stick, loss or theft of written documents containing privacy-sensitive data, theft of a laptop or a break-in by a hacker.

Not every security incident involves a data breach. A data breach only occurs if the security incident results in personal data being lost, or if illegal processing of personal data cannot be reasonably excluded.

Leiden University is legally obliged to report all data breaches within 72 hours to the Data Protection Authority ([Procedure for Data Breach Notification Obligation](#)). In situations that (might potentially) involve a data breach, the employee should not contact the Data Protection Authority him/herself, but instead should report the incident immediately to the ISSC Helpdesk (tel. 071 – 527 8888) or via [abuse@leidenuniv.nl](mailto:abuse@leidenuniv.nl).

### 4.3 Social media

The rapid expansion in the number of social media, combined with their ease of use and the potential reach of messages, make social media very attractive communication channels. Leiden University promotes the use of these channels. However, these media can also have less desirable consequences. To avoid such negative consequences we have established [Leiden University Social Media Guidelines](#), which contain guidelines and rules on the use of social media by Leiden University employees.

### 4.4 Use of University buildings and grounds

The use of Leiden University buildings and grounds is subject to the [Leiden University Regulations for the Use of Buildings, Grounds and Other Facilities](#).

These regulations specify that any employee who is either physically in the buildings or on the grounds of the University, or who is making use of the University's facilities, is required to immediately and closely observe and adhere to the rules, guidelines and instructions established by or on behalf of the Executive Board in the context of the maintenance of public order and the guarantee of a smooth operation within the buildings and on the grounds of the University, as well as the rules relating to the effective and legitimate use of the University's facilities, and is required to obey the relevant instructions.

In this context, employees are required in any event to behave in a manner that:

- a. causes neither direct nor indirect damage to the university or to any person who is either physically in the buildings or on the grounds of the university or who is making use of university facilities; they must also ensure that their behaviour does not result in any unacceptable disturbance or inconvenience to the aforementioned parties;
- b. does not infringe on the rights of the university or of any person who is either physically in the buildings or on the grounds of the university or who is making use of university facilities;
- c. does not contravene any other legal obligations;
- d. complies with the standards of behaviour deemed appropriate towards another person or with regard to material objects acceptable in social interactions.

### 4.5 Use of resources and facilities

For the performance of their tasks, employees are given access to University resources and facilities, such as a workplace, a computer, office supplies, printers and copiers, an email address and internet access. In some cases employees are also provided with a laptop, tablet or telephone.

Employees are expected to respect the fact that these resources have been financed with public funds. They are expected to use these resources and facilities for their intended purpose and treat them with proper care. Employees are expected to be careful and considerate in dealing with these resources and facilities and to take account of any specific conditions of use and security rules or contractual conditions that apply.

Contemporary employment relationships make it difficult to completely forbid private use of company resources and facilities. Conversely, employees are likely to occasionally use their private resources for work purposes. Appropriate private use is therefore permitted. However, misuse, i.e. excessive, immoderate, unnecessary, disruptive or harmful private use, is not permitted.

It is not possible to precisely indicate in advance what counts as misuse and what does not. This means that we appeal to **the employee's** own sense of responsibility and judgment. Employees should keep in mind that these resources and facilities are financed with public funds. There will always be a grey zone: where necessary, employees should discuss the matter with their supervisor.

## 4.6 ICT and internet use

The [Leiden University Regulations on ICT and Internet Use](#) contain rules regarding the use of ICT and internet facilities offered by Leiden University to its students, employees, temporary staff, visitors and others who have any type of agreement with Leiden University. These regulations stipulate the responsible use of ICT and internet facilities as well as the method of monitoring and inspection. They contain a balance between responsible and safe use of ICT and internet on the one hand, and the privacy of the users on the other.

The regulations also describe which behaviours will not be tolerated and the sanctions for engaging in these behaviours. Examples include behaviour harmful to the University, its students or its staff, socially unacceptable behaviour, and illegal behaviour. This entails that the following are not permitted: downloading illegal software; viewing, downloading or distributing pornographic, racist, discriminatory, abusive, offensive or intimidating (including sexually intimidating) messages, images and/or other media; and sending messages that (may) form an incitement to hate and/or violence.

If the ICT facilities made available to the employee are misused, or if other parties engage in illicit conduct with regard to ICT and internet, the employee should **report this fact**. Misuse of **one's own** facilities should be reported to the ISSC Helpdesk (by telephone or locally) or the ICT coordinator. The employee should report illicit conduct on the part of colleagues to his or her supervisor or to the confidential counsellor.

## 4.7 Standards of behaviour

Integrity also refers to how staff members interact with one another and how teaching staff interact with students.

With respect to standards of behaviour, the following documents apply within Leiden University:

- Code of Conduct on Standards of Behaviour between Lecturers and Students  
This code contains guidelines regarding proper standards of behaviour between teaching staff and students. The code applies to all contacts between Leiden University teaching staff and students, both within and outside the context of professional activities or study activities;
- Code of Conduct regarding Relationships in the Workplace  
This code pertains to the University's policy regarding relationships in the workplace. It describes how to deal with relationships in the workplace and what the possible consequences are;
- Regulation on Complaints relating to Unacceptable Behaviour: (Sexual) Harassment, Bullying, Aggression, Violence and Discrimination  
This regulation provides for the right to complain in the above-mentioned situations, and describes the procedure that must be followed in this context;
- Leiden University Policy Framework on (Sexual) Harassment, Bullying, Aggression, Violence and Discrimination (under Article 1.12 of the Collective Labour Agreement of Dutch Universities)  
This document forms the basis for the above-mentioned Code of Conduct on Standards of Behaviour between Lecturers and Students and the Regulation on Complaints relating to Unacceptable Behaviour;
- Policy Rule for Reporting Sexual Offences against Underage Students  
This document sets down the procedure followed by the Executive Board in the event that it is made aware of a possible sexual offence against an underage student.

Combined, the above documents are intended to create a framework for a good, safe work and study climate within Leiden University, such that people behave respectfully towards one another, and mutual acceptance and mutual trust are important values. These documents form part of Leiden University's policy of providing a safe and non-discriminatory work and study environment.

## 5. Facilities for promoting integrity

### 5.1 Confidential counsellor for personnel issues and Confidential counsellor for PhD candidates

In most cases, integrity issues can be discussed and resolved in direct consultation between the employee and his or her supervisor.

If this is not possible, the employee can consult the confidential counsellor. This is also advisable if an employee does not dare to openly point to malpractices in his or her immediate work environment. The confidential counsellor listens, provides information and offers advice. The confidential counsellor is independent. Any questions, doubts or suspicions can be discussed in confidence. Carefulness and reliability form the basis for the proper functioning of a confidential counsellor. If the suspicion of a (serious) violation of integrity exists, the confidential counsellor can provide the employee with information about which notification procedure is appropriate in the specific case.

The Executive Board has appointed several confidential counsellors, who complement each other and **can fulfil each other's duties** in case of absence. The means to make contact with the confidential counsellors for personnel issues can be found on the employees' website. The PhD candidate who wants to discuss problems of a non-medical nature related to the PhD can contact the confidential counsellor for PhD candidates at the Graduate School. Information how to make contact with the confidential counsellor for PhD candidates can be found on the employee's website and on the website of the Graduate School.

### 5.2 Confidential counsellor for unacceptable behaviour

If an employee is the victim of unacceptable behaviour, such as (sexual) harassment, bullying, aggression, violence or discrimination, he or she can consult the confidential counsellor for unacceptable behaviour. The employee can discuss the problem with the confidential counsellor in a confidential setting. The confidential counsellor treats reports and complaints with strict confidentiality **and only informs third parties with the employee's express permission**. The tasks of the confidential counsellor for unacceptable behaviour include assisting employees who have been the victim of unacceptable behaviour and providing them with advice and support, and informing employees about the various possibilities for resolving the problem or filing a complaint.

The means to make contact with the confidential counsellors for unacceptable behaviour can be found **on the employees' website**.

### 5.3 Confidential counsellor for academic integrity

The confidential counsellor for academic integrity is the first point of contact for questions or circumstances relating to academic integrity and suspected violations by Leiden University employees or former employees. The confidential counsellor has an obligation of confidentiality and is not a member of the Academic Integrity Committee.

The main task of the confidential counsellor is to provide advice and to indicate the possible routes and procedures to be followed. Together with the complainant, the confidential counsellor will assess the nature and seriousness of the suspected violations and explore possible courses of action.

The petitioner can naturally choose to first discuss the questions or circumstances with his or her immediate colleagues or the Academic Director of the institute. In all cases, it is always possible to file a complaint directly with the Academic Integrity Committee, if the nature and urgency of the suspected violations so require.

The means to make contact with the confidential counsellor for academic integrity can be found on **the employees' website**.

## 5.4 Reporting malpractice

If an employee suspects a malpractice, he or she has a duty to notify his or her supervisor. The relevant procedures, safeguards, etc. can be found in the [Leiden University Regulations for Whistleblowers](#).

A suspected malpractice refers to a situation in which there are reasonable grounds for suspecting one of the following with respect to the University or one of its divisions:

- Violations of the law
- An imminent threat to public health
- An imminent threat to people's safety
- An imminent threat to the environment
- An imminent or potential threat to the proper functioning of the organisation as a result of improper conduct or neglect.

A suspected malpractice does not include suspected violations of academic integrity.

If you would rather not report it directly, you can contact the confidential counsellor for malpractice. The confidential counsellor can guide you, advise you and refer you to the right person/department. He or she can also file an anonymous complaint on your behalf. The confidential counsellor is appointed by the Executive Board and is accountable to the Board.

## 5.5 Procedure for reporting a conflict of interest

The Procedure for Reporting a Conflict of Interest applies to all cases that do not fall under the Sectoral scheme on Ancillary Activities or the Netherlands Code of Conduct for Research Integrity 2018 or the Leiden University Regulation on Complaints regarding Academic Integrity. The above-mentioned documents relating to ancillary activities and academic integrity contain precautionary measures that must be observed at all times.

The present procedure aims to regulate the manner in which interests that may **affect the University's** interests, insofar as they relate to the **employee's job performance**, have to be reported, and how such notifications are handled.

#### Article 1

The employee is obliged to report any actual, perceived or potential conflict of interest, insofar as he or she has reason to suspect or cannot exclude the possibility that having or acting on these interests may interfere with the proper fulfilment of his or her duties or the interests of the University. (The employee is therefore obliged to personally assess whether his or her interests may affect those of the University.)

#### Article 2

If the employee has any questions or doubts, he or she should consult his or her supervisor.

#### Article 3

The employee should submit the notification in writing through the intermediation of his or her direct supervisor to the mandate holder (Executive Board, Faculty Board or Director of Expertise Centre / Administration and Central Services). The confidentiality of the notification will be respected as far as possible.

#### Article 4

The notification should include the employee's position, a description of the interest that may affect the University's interests, insofar as it relates to the employee's **job performance**, and the starting date of the interest in question. The notification must contain enough information to make it possible to find a suitable solution.

#### Article 5

**Registration of the notification takes place by including the notification in the employee's personnel file.**

#### Article 6

The employee is obliged to provide further information regarding the interest at the request of the mandate holder.

#### Article 7

The mandate holder assesses whether the reported interest represents a risk **for the employee's** proper job performance and/or the interests of the University. To this end, the mandate holder will ask for **advice from the employee's immediate supervisor.**

#### Article 8

Within four weeks of the date of the notification, the employee will receive a response in writing, of the mandate holder, stating one of the following:

- **that there are no objections to the reported interests because they do not threaten the employee's proper job performance / the university's interests;**
- that there are in principle no objections to the reported interests on condition that the specified precautionary measures are fulfilled;

- that there are in principle objections and no approval can be given because the reported interests interfere with proper job performance such that the University's integrity cannot be guaranteed.

#### Article 9

The employee has fourteen calendar days in which to respond before a written instruction is issued by the mandate holder to the employee.

### 5.6 Measures and sanctions

An essential component of any integrity policy is its enforcement. The employee is obliged to behave as a good employee. Violation of the rules on integrity can result in not behaving as a good employee. This can lead to a number of measures and/or sanctions, depending on the nature and seriousness of the established behaviour. Before a sanction is imposed, the situation will be investigated. The facts must be established clearly, and relevant circumstances must be taken into account. This also entails that all parties have in principle the right to a fair hearing before measures or sanctions are imposed.

## 6. Entry into force and official title

The Leiden University Code of Conduct for Integrity was adopted by the Executive Board on 6 September 2016, following agreement with the **Local Employees' Organisation** dated 7 July 2016 and following the consent of the staff representatives of the University Council on 5 July 2016.

This Code of Conduct enters into force on 1 November 2016.

The Code of Conduct may be referred to as the “Leiden University Code of Conduct for Integrity”.

These regulations were modified by the Executive Board on 4 December 2019 following the agreement of the Local Consultative Body on 19 September 2019 and the recommendation of the University Council on 25 November 2019. The amended regulation shall enter into force on 31 December 2019.

This translation of the Leiden University Code of Conduct for Integrity is intended as a service to non-Dutch speaking employees, and as such has no legal status. Any legal claims can only be made on the content of the Dutch Code of Conduct (*Gedragscode Integriteit Universiteit Leiden*).