

NATIONAL INSTITUTE FOR NUCLEAR PHYSICS
GOVERNING COUNCIL'S
RESOLUTION NO. 13501

The Governing Council of the National Institute for Nuclear Physics, which met in Rome on 23 January 2015, with 34 of its 34 members attending the meeting:

- based on Presidential decree no. 62 of 16 April 2013, introducing the “*Regulation implementing the code of conduct for public employees, pursuant to article 54 of Legislative decree no. 165 of 30 March 2001*” and, specifically, article 1.2, which requires that public administrations prepare and adopt – through a specific provision – a specific code of conduct pursuant to article 54.5 of Legislative decree no. 165/2001;
- based on the guidelines on codes of conduct set out in resolution no. 75 of 24 October 2013 passed by the Independent National Commission for Evaluation, Transparency and Integrity of Public Administrations - Italian National Anticorruption Authority (CIVIT-A.N.AC.);
- based on its resolution no. 13352 of 26 September 2014, implementing the “*Code of conduct concerning anti-corruption of INFN personnel*” and the related “*Report*”;
- given the need to complete the definition of the rules of conduct for all those who, for several reasons, operate within the INFN, including for short periods of time; specifically:
 - employees and associates,
 - those with research grants for cooperation in research activities and scholarships,
 - those who, in general, operate with the Institute as part of several contracts, including temporary guests, contract workers, etc.;
- given the need – considering the fundamental role of scientific research in the development of a modern civilised country and, consequently, the social importance of research bodies – to reflect the constitutional values underpinning scientific research and the training of young researchers in this field, by means of a Code of conduct;

- on a proposal of the Executive Council;
- by 34 votes in favour

R E S O L V E D

to approve the “*Code of conduct*” attached hereto, which forms an integral and substantial part thereof.

Code of conduct

National Institute for
Nuclear Physics

8 December 2014

Introduction

The National Institute for Nuclear Physics (“INFN” - Istituto Nazionale di Fisica Nucleare) is a public research body whose primary aim is the study of fundamental physics, specifically in the nuclear, sub-nuclear and astroparticle fields, and the possible application of this knowledge to a wide range of important aspects for the social well-being and technological innovation.

It comprises a large community of employees (researchers, technologists, technical and administrative staff) and associates (specifically, university employees and employees of other research bodies). This community requires the strict identification of criteria which underpin, on the one hand, the acknowledgement of and respect for the rights and freedom of individuals and, on the other, the carrying of duties and responsibilities, both individually and by the various members of the community.

The INFN is aware of the fundamental role that scientific research plays in the development of a modern civilised country and, consequently, of the social importance of research bodies. Indeed, with this Code of Conduct, it intends to promote the excellence of its activities and create a work environment where research is free, everybody is respected, differences are enhanced, and characterised by professional integrity and open discussion among its members.

It is with this aim that the INFN requests that all its personnel, both employees and associates, fully comply with this Code of conduct and its implementing tools, such as the *Code of conduct for the protection of the dignity of people who work and operate within the National Institute for Nuclear Physics* and the *Code of conduct on anti-corruption*, in order to improve the achievement of the Institute’s goals, in Italy and/or abroad.

Part I

Inspiring principles and recipients

Article 1. Code's Recipients

1. The Code of conduct (the "Code") applies to all those who, for several reasons, operate within the INFN, including for short periods of time, therefore employees and associates, those with research grants for cooperation in research activities and scholarships, those who operate within the Institute as part of several contracts, as well as temporary guests, contract workers, etc..

Article 2. Scope and inspiring principles

1. The INFN's structure and actions are based on the principles defined in this Code, while promoting their compliance and fulfilment of the resulting conduct duties, in respect of the roles and responsibilities assumed by all recipients listed in article 1.
2. The Code's inspiring principles are based on the following fundamental constitutional principles:
 - a) dignity and promotion of persons, as human beings and as part of the Institute's social community;
 - b) fairness and justice: i) prevention and enforcement of any form of discrimination based on differences concerning sex, age, territorial origin, language, ethnic origin, religion, political opinions, personal, social and economic conditions, disability and sexual orientation; ii) protection, enhancement and acknowledgement of the above differences; equal opportunities and solidarity to be enhanced specifically vis-à-vis the promotion of INFN's community role, including as a tool to enhance training and research activities;
 - c) freedom of scientific research and training;
 - d) research activities focused on the good of mankind and the expansion of the frontiers of scientific knowledge;
 - e) rewarding merit, also as a tool to implement the principle of equal treatment and to be pursued also through the implementation of the principle of transparent

assessment and the definition of the related criteria;

- f) respect and protection of the environment, safety and hygiene at workplaces and places for living;
- g) sound management, based on efficiency, effectiveness and cost-effective criteria, while safeguarding and promoting workers' well-being;
- h) promoting communication with institutions, companies and the population of the areas in which INFN operates;
- i) right to freely express, including in public and on a critical basis, opinions on the Institute's activities and governance. This kind of representations shall always be based on personal respect and use moderate language.

Part II

Rules of conduct

Article 3. Misuse of power

1. Nobody is allowed to use their position to require that other parties act and/or render services that are not instrumental or functional to INFN's general interest.
2. INFN's *Code of conduct on anti-corruption* describes the practical implementation of this principle.

Article 4. Harassment, sexual harassment and other abuses

1. INFN condemns any form of abuse and sexual harassment and takes the necessary measures to prevent such conduct, in addition to adopting the necessary tools to protect the victim and to report its author.
2. INFN condemns any form of discriminatory conduct and/or harassment, any act of moral and/or physical violence and of psychological persecution and, in general, any conduct which compromises other people's health and/or ability to study, research and work.
3. The rules of conduct applicable to these points and the formal and informal procedures are included in the Code of conduct for the protection of the dignity of people who work and operate within the National Institute for Nuclear Physics (Council's resolution no. 12145 of 22 December 2011).

Article 5. Transparency, integrity and impartiality

1. All those operating within INFN (employees, associates, visitors) shall act consistently with a general principle based on the criteria of transparency, integrity and impartiality. Specifically, special treatment, unequal treatment, the creation or use of privileged situations, undue pressure, decisions and initiatives made without the utmost transparency, immoderate and biased conduct are absolutely prohibited.

3. INFN undertakes to ensure the maximum transparency as to the nature and characteristics of the relationships with those operating at its facilities. Specifically, no unrealistic expectations shall be raised as to the prospective career development of employees with fixed-term contracts; to this end, the Institute shall provide exhaustive and prompt information about the nature of the existing relationship, both at the inception and throughout its term.
4. INFN adhered to the European Charter for Researchers and the Code of conduct for the recruitment of researchers issued by the European Commission with EC Recommendation 2005/251 and pursuant to Legislative decree no. 165 of 30 March 2001, updated to conversion law no. 135 of 7 August 2012. Consequently, all its personnel, employees and associates, involved in selection and assessment committees for hiring and/or career moves, undertake to comply with the principles set out in the above codes and legislative decrees, ensuring transparent selection criteria (which shall be known ex ante) and recruitment procedures (all verifiable).
5. INFN's Code of conduct on anti-corruption describes the practical implementation of the principles set out in this article.

Article 6. Favouritism and nepotism

1. Nobody operating within the Institute shall favour in any way relatives and in-laws.
2. Nobody operating within the Institute shall use their position improperly and against merit to favour a person, specifically based on personal ties and/or relationships, facilitating the entry or career development.
3. The above favouritism shall be promptly reported to the Watchdog Committee.
4. Should one candidate that intends to participate in the recruitment procedures be a relative up to the fourth degree of kin or an in-law of a person involved in recruitment at the facility where the selection process is underway, prompt written communication shall be given prior to the selection procedures.

Article 7. Conflict of interest

The recipients of this Code shall avoid conflicts of interests in accordance with that set out in INFN's *Code of conduct on anti-corruption* (see article 7 of INFN's CoC).

Article 8. Freedom of research

1. The Institute undertakes to create an environment where freedom and personal autonomy, being the necessary pre-conditions for the quality of research and development of professionalism, become best practices.
2. As part of the freedom of research, all those operating, in any capacity, within the Institute shall act transparently and with responsibility, including by adopting self-regulation systems which explain the results, methodologies and ethical impact of their research to the relevant scientific communities and, more in general, to the community.
3. Having adhered to the European Charter for Researchers issued by the European Commission with Recommendation 2005/251/EC, for the Institute, all members of research staff operating within its facilities are "Professionals engaged in the conception or creation of new knowledge, products, processes, methods and systems, and in the management of the projects concerned" regardless of the classification of the different legal statuses set by the law. Furthermore, the Institute's work conditions are such to ensure equality and equal opportunities for genders and to provide the tools necessary for research.
4. Specifically, in line with the European Charter for Researchers and without prejudice to ruling legislation, the Institute supports the assignment of project supervision and coordination roles to researchers with proven experience.

Article 9. Intellectual property protection and enhancement of research products

1. Without prejudice to compliance with ruling legislation and international regulations on intellectual property and plagiarism and the *provisions governing the protection, development and enhancement of INFN's knowledge*, the author of an intellectual work who belongs to the Institute, or an associate thereto, should the work be the

result of research which was significantly supported by the Institute, shall not use it for private purposes and shall treat the relevant results with confidentiality until they are officially disclosed.

2. Given the public and social importance of scientific research, the Institute contributes with its results to the development of the national and international community; intellectual property, allegedly in favour of the Institute, is governed by a mutual relationship which shares the goals concerning the use of the research results among all staff operating, for several reasons, within the Institute.
3. The coordinators of research projects and/or activities, specifically those related to academic activities, carried out collectively, undertake to publish the related results guaranteeing the identification of all those who participated in the research and, under certain conditions, to specifically state the authors and collaborators of specific parts of the results.
4. In any case, the coordinator of a research group is responsible for promoting the conditions that enable each participant, regardless of their professional qualification or role within the Institute, to operate with freedom, integrity and professionalism, facilitating communication, constructive criticism, the development of ideas and personal skills and, specifically, enhancing talents and individual merits.

Part III

Bodies and implementing tools

Article 10. The Watchdog Committee of the Code of conduct

1. INFN's Chairperson sets up a specific Watchdog Committee of the Code of conduct (hereafter the "Watchdog Committee") comprised as follows:
 - a) the Confidential Counsellor who will be the Chairperson of the Watchdog Committee;
 - b) the Representative of Researchers in the Governing Council;
 - c) the Representative of Technologists and Technical/Administrative Staff in the Governing Council;
 - d) a representative of the Central Guarantee Committee (CUG – *Comitato Unico di Garanzia*), appointed by the same CUG;
 - e) a representative of research staff, other than researchers and technologists hired by the Institute, with a two-year term of office, to be appointed in accordance with the instructions to be provided by the Institute's Chairperson, and chosen among those with research grants for cooperation in research activities, scholarships and sundry research contracts.
2. During the first meeting of the Committee, the Chairperson of the Watchdog Committee shall appoint a deputy chairperson chosen among its members.
3. The Watchdog Committee, while respecting the confidentiality, shall carry out the following duties:
 - a) together with the CUG, analysing and examining the implementation of this Code;
 - b) promptly informing the Confidential Counsellor for his/her intervention should it become aware of any relevant situations as covered by article 4 of this Code;
 - c) regularly checking that the Institute's research projects, though entirely financed by or co-financed with private parties, are consistent with the

- principles, values and rules of conduct set out in this Code, with the power, in case of ascertained incompatibility, to propose that the activity or project be suspended or renegotiated to the relevant coordinator;
- d) carrying out information and dissemination activities, including externally, related to the aspects covered by this Code;
 - e) submitting proposed changes or integrations to the Code to the competent bodies;
 - f) carrying out any other function provided for by this Code;
 - g) interacting with the Central Guarantee Committee with respect to aspects of common relevance.
4. Every year and with the CUG's agreement, the Watchdog Committee shall prepare a report describing the management performance results compared to the principles, values and rules of conduct set out in this Code, and the activities carried out for discussion and communication with the Code's recipients.
5. The acts and measures issued by the Watchdog Committee shall be generally accompanied by an appropriate written justification.
6. The Governing Council shall approve the Regulation governing the functioning of the Watchdog Committee.

Article 11. Social reporting

1. In its social report, the Institute shall report the activities carried out by the Watchdog Committee, analysing the impact of the Code's adoption on the quality of life within the Institute and checking the consistency between the Code provisions and the actual results.

Article 12. Compliance with the Code

1. The parties listed in Article 1 are required to:
- a) read this Code and, in case of doubts as to the conduct vis-à-vis the aspects covered herein or the need for clarifications on the interpretations of its provisions, contact the Watchdog Committee or, pending its creation, the Confidential Counsellor and the Central Guarantee Committee;
 - b) comply with this Code and the interpretation guidelines established by the Watchdog Committee through its deeds and measures.