



## Code of Conduct and Conflict of Interest Guidelines

### College of Europe

### (Natolin Campus)

## Introduction

The College of Europe Natolin Campus (henceforth referred to as “the College of Europe”, “the College” or “the Campus”) came into being in 1992, initially as the branch of the College of Europe in Bruges, and was the first European educational institution of its kind in Central and Eastern Europe. In 1994, the Government of Poland and the College of Europe Bruges signed an agreement on the establishment of the branch of the College of Europe in Natolin. In 1999, the *trilateral Agreement between the Government of Poland, the European Commission and College of Europe concerning the development of Natolin Campus* was signed, defining the obligations of the three sides and establishing that the Natolin Campus would function as a separate legal entity.

Since 2001, the College of Europe (Natolin campus) is a legal entity duly registered under the laws of the Republic of Poland, with its own budget, financial accountability and HRM.

The program of interdisciplinary European studies offered by the College allows the students of the College to become acquainted with the process of European integration in a manner that crosses over and reaches beyond individual disciplines such as law, economics and socio-political studies. The program of studies in Natolin is an excellent opportunity to gain unique knowledge and experience beneficial for further professional development.

In addition, since 2004, the Natolin Campus has specialised in the European Neighbourhood Policy and – by virtue of the European Parliament’s decision – in the academic year 2011/2012 established the European Neighbourhood Policy Chair. Thanks to a special scholarship programme of the European Commission, the Natolin Campus hosts a proportionally significant number of students from countries covered by the ENP. In 2010, the Natolin campus of the College of Europe established the European Civilisation Chair, funded by the European Parliament.

Our educational mission, in addition to enabling the students to gain knowledge on European integration, law and institutions, on European civilisation and history, and on European Neighbourhood Policy, prepares the students for future positions in EU institutions, international organisations, EU and ENP governments and administrations, academia, or the private sector. The way in which the Campus staff and other employees carry out their work should serve as example for these future elites. Given that the College of Europe is financed by public resources, it is of utmost importance that we conduct our work transparently, responsibly and with clear accountability.



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Safran  
Brugge



Natolin

*and Conflict of Interest Guidelines* document is to serve as a guidance for staff and other employees<sup>1</sup>; its provisions complement, clarify and reinforce provisions contained in the Work Regulations in force. The *Code of Conduct and Conflict of Interest Guidelines*, as adopted by the College of Europe (Natolin Campus) Board, form an integral part of internal rules and regulations, and breaches of its provisions will entail sanctions as noted in this *Code and Guidelines*.

## I. Code of Conduct

Our staff and other employees must comport themselves with objectivity and impartiality, and conduct the College of Europe's affairs with a commitment to the highest standards of integrity, ethics and honesty. The staff and other employees must treat one another – as well as contracted consultants and any third parties – with courtesy, respect, professionalism and civility.

### 1. Compliance with laws and regulations

Staff members and other employees should comply with all the laws and regulations applicable to the College of Europe and to individual staff members and other employees, both in view of potential civil penalties and criminal charges. When travelling abroad on College business, staff members and other employees should respect local laws and regulations in force. If and when travelling on College business to post-conflict, fragile or authoritarian settings, while striving to comply with local laws and regulations, they should make utmost efforts not to endanger themselves, colleagues and/or College of Europe Natolin Campus contacts.

### 2. Research Code of Conduct

Taking into account the specificity of academic endeavours, a Research Code of Conduct may be developed separately.

### 3. Publications and speaking engagements

- i) Staff and other employees should inform the Employer by email of any significant speaking engagements and publications carried out on behalf of the College of Europe. Without prejudice to the principle of freedom of academic expression, speaking engagements and publications should be avoided where the interests of College of Europe Natolin Campus or the safety of its staff might be jeopardised.

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<sup>1</sup> "Staff" is understood as persons employed based on the labour law employment contracts; "other employees" is understood as persons engaged based on civil law contracts, with the exception of the "flying faculty" members.

Other employees (with the exception of the “flying faculty”) wishing to use their personal capacity – articles, books or other material that relate to activities or interests of the College of Europe should inform the Employer of this intention by email.

When writing or speaking in their personal capacity, staff and other employees have to indicate this clearly and – without prejudice to the principle of freedom of academic expression – are expected to avoid comments that might adversely affect the interests of the College of Europe. Disclosure or non-disclosure of the staff or other employees’ employment by the College of Europe will depend on the circumstances and should be consulted with the Employer.

#### 4. Contacts with the media

Staff and other employees require the prior approval of the Employer for each instance of their contacts with the media on behalf of, or commenting on the College.

#### 5. Political activities

Political activities are permitted in the personal capacities of staff and other employees if these activities do not conflict with their ability to fulfil their responsibilities and obligations vis-a-vis the College of Europe. However, utmost care should be given by staff and other employees to convey a clear message of their purely personal capacity when engaging in political activities. No such activities may be conducted during business hours and College of Europe resources must not be utilised for such purposes.

#### 6. Confidentiality and disclosure of information

- i) Staff and other employees have a duty to maintain confidentiality of all information, including information on the performance of students, which they have gathered, prepared or received during the employment or contractual relationship, or in connection with or on the occasion of performing their obligations, concerning the Campus, the Campus’ organisation, content of agreements entered, content and scope of planned activities, customers, counterparties and other entities co-operating with the College of Europe.
- ii) All the above information shall be kept confidential and not disclosed to third parties during employment and following termination thereof, unless such disclosure is in the interest of the College of Europe and with prior written approval of the Employer.

#### 7. Intellectual property rights

The College of Europe owns all intellectual property rights to any products produced for or at the College that form part of contractual obligations of staff and other employees, including *inter alia*: reports, publications, concept notes, curricula, as well as ideas on and plans for development activities of the College and content of any grant or service provision tender or project documents developed by and for the College of Europe. In accordance with applicable rules of law and contractual obligations the College will not hinder use of work



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employees during their contractual engagement at the College in their  
cations.

Staff and other employees will abide by intellectual property rights legislation, will honour and respect the intellectual property rights of the College of Europe, as well as the intellectual property rights of any third parties.

## **8. Equality and non-discrimination**

The College of Europe is committed to equal treatment and non-discrimination, in accordance with the Polish legislation in force, and as stated in the Work Regulations in force.

## **9. Mobbing/Bullying and harassment**

In agreement with the Work Regulations in force, any type of mobbing/bullying, harassment or retaliation, regardless of the identity and status of the offender, will not be tolerated. Reports of all such incidents will be dealt with fairly, impartially and in full confidence.

Incidents of mobbing/bullying, harassment or retaliation should be reported to the Employer, or the Chairman of the Board as appropriate, who – in each case – will appoint a panel to examine every case with due diligence and will take appropriate steps to remedy the situation. The panel will decide on merits of each complaint and on the imposition of appropriate sanctions, in accordance with Work Regulations and measures stated herein.

## **10. College of Europe Natolin Campus property**

Staff and other employees are expected to exercise due care and diligence in the use of Campus property and to utilise such property only for authorised purposes. Unauthorised removal of Campus property from the premises is forbidden. In the event of any damage to or loss of Campus property, staff and other employees should notify their supervisor.

# **II. Conflict of Interest**

## **1. Employment**

The interests of the College of Europe take precedence over the interests of other employers or third parties, in accordance with the Polish legislation in force. The College of Europe Natolin Campus' full-time staff have a full-time responsibility to the Natolin Campus. Full-time non-support staff need – in each case – to inform the Employer by email of engaging in part-time employment, remunerated consultancies, private business or teaching assignments. Non-support staff and other employees should seek the prior written approval of the Employer if engaging in the above undertakings for, or with, entities that are competitive to the College of Europe interests and activities. Approval is granted if proposed outside activities do not constitute an actual or perceived conflict of interest.

Employees have a duty to inform the Employer of any instances of activities of interest or which constitute competition to the activities of the College which may stand to the detriment of the College's interests. Such reports will be treated diligently and with due confidence.

## 2. Consultancy and services/supply provision contracts

Consultancies and services/supply provision contracts cannot be made directly or indirectly to immediate family members or companies that employ immediate family members of staff and other employees. In case of non-immediate family members, granting such contracts cannot be made without the prior written approval of the Employer, and the concerned staff and other employees are obliged to remove themselves from any role in the decision and selection process, as well as any future supervision or quality control over such contracts. Staff and other employees have a duty to inform the Employer of any instances of actions that stand in contradiction to the present provisions. Such reports will be treated diligently and with due confidence.

## 3. Personal relationships at workplace

Staff and other employees have a duty to inform the Employer of their personal relationships at workplace, be it ongoing or previous ones, including personal relations concerning a Member of the Board. In the latter case, the Chairman of the Board should also be notified via the Employer.

In case of such present or past relationships, no supervisory or managerial relations can exist between the individuals involved, and they must play no role in respective performance evaluations. Utmost care must be given by the staff members involved to avoid actual or perceived conflicts of interest, as well as gaining undue advantage and access to information through personal relationships.

## 4. Gifts and personal advantages

Staff and other employees are forbidden to accept from customers, counterparties or other entities co-operating with the Employer, or from any other persons with whom the contact was made through work, gifts of significant, non-token value. Staff and other employees can only accept token-value souvenirs or advertising/information materials.

It is forbidden to take advantage of one's position, or information acquired in connection with employment by the College of Europe, to obtain one's own economic benefit or advantages, and to take actions which could give rise to suspicions of partiality or self-interest.

- **A corrupt practice** – the offering, giving, receiving, or soliciting, directly or indirectly, anything of value to influence improperly the actions of another party.
- **A fraudulent practice** – any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation.
- **A coercive practice** – impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party.
- **A collusive practice** – an arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party.<sup>2</sup>
- An **obstructive practice** – deliberately destroying, falsifying, altering or concealing evidence material to the investigation or making false statements to investigators in order to materially impede an investigation into allegations of a corrupt, fraudulent, coercive or collusive practice; and/or threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation.<sup>3</sup>

## IV. Reporting, investigating and sanctions

### 1. Reporting

- i) In the event a staff member, other employee or any third party becomes aware of fraud, corruption, collusion, coercion, misuse of College of Europe funds, or any other type of misconduct including breaches of the aforementioned conflict of interest clauses, s/he must bring it to the attention of the Employer.
- ii) If a staff member, other employee or any third party considers that an allegation of fraud, corruption, collusion, coercion, misuse of College of Europe funds, or any other type of misconduct, including breaches of the aforementioned conflict of interest clauses, that s/he has brought to the attention of the Employer have not been properly addressed, he or she should bring the matter to the attention of the Board via its Chair.
- iii) Such disclosure will not result in any form of retaliation or prejudice against the reporting staff member, other employee or any third party. The College of Europe will treat such retaliation as an act of misconduct.
- iv) Staff members, other employees and any third parties must not bring charges that are frivolous or malicious.

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<sup>2</sup> <http://www.eib.org/about/documents/ifi-anti-corruption-task-force-uniform-framework.htm>

<sup>3</sup> <http://www.iadb.org/en/topics/transparency/integrity-at-the-idb-group/prohibited-practices-at-the-idb,2704.html>

ished, on an *ad hoc* basis, to deal with allegations of fraud, corruption, misuse of College of Europe funds, or any other type of misconduct, brought forth by staff members, other employees or any third parties. In cases under IV.1.i, the composition of the panel will be decided by the Employer, who will normally chair its meetings. In cases under IV.1.ii, the composition of the panel will be decided by the Chairman of the Board.

It is recommended that the panel's membership should be set in a way to allow for its fast and efficient work, with the composition of no more than 5 members. Its members should be impartial and will be bound by strictest confidentiality rules regarding the origin and nature of the complaint, identities of the parties concerned, and the course of the investigation. The latter must be objective, equitable, thorough and rigorous.

The Panel takes decisions through a majority vote; in the case of an equal distribution of the votes, the Chair holds the casting vote.

All and any documents and information requested by the panel must be provided immediately, as per the prohibition of obstructive practices.

Staff or other employees will not, under any circumstances, suffer discrimination or retaliation as a result of information provided during the course of the investigation.

### 3. Sanctions

The College of Europe will apply a zero-tolerance policy wherever the investigation process determines that its staff or other employees have engaged in corrupt, fraudulent, collusive, coercive or obstructive practices, or have breached other provisions of this *Code of Conduct and Conflict of Interest Guidelines*. A range of disciplinary measures and sanctions will be enforced, including termination, in accordance with the Work Regulations, contractual provisions and national legislation in force. Where warranted, such cases will be referred to relevant national authorities.

Individuals subject to termination of employment and civil-law contracts for having engaged in corrupt, fraudulent, collusive, coercive or obstructive practices shall not be eligible for future contracting by College of Europe, in any capacity.

If corrupt, fraudulent, collusive, coercive or obstructive practices concern persons employed by another entity, the College of Europe will inform that entity forthwith.

The College of Europe Panel's decisions on sanctions can be appealed before the College of Europe Board within 7 days of the decision. The subsequent Board decision will exhaust the internal procedure.