

Arising from the constitutionally guaranteed freedom of scientific and artistic creation, from University's autonomy, its mission and values as well as commitments to ethical conduct from the UM Strategy 2021–2030, the Senate of the University of Maribor at its 22nd regular session of 6 July 2021 adopts the

CODE OF ETHICAL CONDUCT OF THE UNIVERSITY OF MARIBOR

I. PERSONAL AND SUBSTANTIVE VALIDITY

The Code of Ethical Conduct of the University of Maribor lays down ethical standards of conduct, which are necessary for all associates and students of the University of Maribor (hereinafter: UM).

The provisions of this Code bind all members of the university community (higher education teachers, higher education associates, researchers and professional associates), who conduct research, pedagogical and professional work at UM, either on the basis of an employment agreement or other contractual basis (hereinafter referred to as »*UM associates*«, except when the personal validity of individual provisions is narrower and refers only to particular groups of associates). The Code also binds UM students, regardless of the cycle and mode of study.

The aim of the Code is to establish and strengthen behavioural standards of university community members and thus strengthen their commitment to UM, exercise social responsibility of its operation, strengthen ethics in teaching and research as well as ensure knowledge transfer and UM's social recognition.

The provisions of the Code constitute basic behavioural standards of UM associates and students and are without prejudice to the content of legally binding regulations of the UM and the authorities of the Republic of Slovenia.

All terms written in masculine form are hereinafter used as a neutral form referring equally to both genders.

II. GENERAL PRINCIPLES OF ETHICAL CONDUCT

a) Respectful mutual communication

UM associates and students have different personal circumstances. Regardless of this diversity, UM associates and students are part of a unified academic community and respect different views, experience and starting points in life.

UM associates and students respect basic human rights and freedoms as defined by the Universal Declaration of Human Rights, EU Charter of Fundamental Rights and the Constitution of the Republic of Slovenia, defend ideological freedom and equality of the individual.

UM associates and students do not discriminate against people they come in contact with in the context of their work and study commitments on the grounds of nationality, race, gender, sexual orientation, age, religion, political or other conviction, material standing, birth, education, social

status, disability, physical or mental characteristics and limitations, social or regional origin or any other personal circumstance.

UM associates and students are aware that through their work, regardless of the differences in particular expert and research fields, they represent a unified academic community. Disagreements that arise from misunderstandings of different expert fields are resolved with argumentative discussion for the benefit of the whole institution.

Communication and cooperation between UM associates and students is based on respect, understanding, inclusion and allowing equal opportunities.

UM associates and students adapt their spoken and written communication, including addressing and saying goodbye, to the academic context and professional etiquette, unless there is an agreed and unanimously adopted different practice in an informal round of interlocutors. In doing so, they make sure that by using (in-)formal addressing they do not discriminate on the grounds of gender, age and professional standing.

UM associates and students inform each other adequately regarding the content and progress of work. Through the transfer of knowledge, skills and information, they help each other in carrying out work assignments.

UM associates and students strive to create and maintain a working and study environment that is motivating and encourages cooperation.

With their behaviour, UM associates and students try to be an example of ethical conduct. The principles laid down in the Code are leading them in their performance and behaviour also outside the university and in public.

UM associates and students adequately acknowledge the credit of the whole team of co-workers when the result of pedagogical, research or professional work can be assigned to several associates and/or students.

b) Respect for dignity

An environment, in which dignity is respected, is an environment in which there is no harassment, bullying or sexual harassment, either on the side of the employer or supervisors or on the side of UM associates or students.

The victim of harassment, bullying or sexual harassment as well as persons helping this person shall not be subject to retaliation.

c) Whistle-blower protection and aversion to anonymous reports

At UM, outstanding issues are freely discussed and UM associates respect the diversity of views. UM protects whistle-blowers in accordance with the Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law and relevant Slovenian legislation.

As a rule, UM refuses resorting to anonymous reports.

d) Conflict resolution

UM associates and students swear by the culture of dialogue and continuous as well as objective conflict resolution.

In case of conflict, at first, they try to resolve issues according to the procedures within the university and its members.

e) Protection of confidential information and personal data

In all fields of their work, UM associates and students protect as confidential all data and information as required by legislation on the protection of personal data.

f) Strengthening UM's reputation in public

The University of Maribor protects freedom of expression as a fundamental value.

UM associates and students have an open attitude towards the public and are aware of the responsible role that they are having towards the public and in the public.

In their communication with the public, university's employees strive to strengthen the reputation of their field of expertise, science and the entire institution. This also applies to their cooperation in social media.

g) Indication of affiliation

In published scientific and scholarly works prepared as part of their employment at UM, UM associates consistently state UM as their research institution. If they are fully employed at UM, they state only UM and if they are employed at UM for the most part, they state UM in the first place. This also applies to project and other applications in which they act as researchers.

In their communication with the public regarding the content that does not fall within their expert field of work at UM, they do not state a connection to UM.

h) Work outside the university

UM associates do not perform work outside the university if this would hinder smooth implementation of their work at UM.

UM associates inform the Faculty's Dean or Heads of other UM members on all research, pedagogical and professional activities they are performing outside the parent institution.

i) Attitude towards UM assets

UM associates and students deal with work and financial assets that are entrusted to them in accordance with the purpose and with due diligence. In using these assets, they strive for their optimal use and maximising the benefits for the community. They do not use the common assets for private benefit.

j) Relationship with the environment

UM associates and students strive for environmentally responsible behaviour.

k) Health protection

In case of a disease condition, UM associates and students take protective measures to reduce the risk of spreading the disease.

III. AVOIDANCE OF CONFLICTS OF INTERESTS

Conflicts of interests at UM that are not properly monitored may jeopardize the realisation of the university's vision and mission. Therefore, UM associates and students avoid activities that could be perceived as adverse to their position and functions at the university. If conflicting roles cannot be avoided, they disclose conflicts in advance to the direct superior who provides for taking appropriate measures to ensure transparency and objectivity of work. If a disclosure in advance is not possible, they draw attention to it immediately when the conflict of interest is detected. After five years from the relevant personal circumstance, it is no longer necessary to announce conflicts of interests.

Conflict of interests refers to all circumstances in which the private interest of an UM associate or student affects or may affect the impartial and objective performance of his duties at UM. By avoiding merely the appearance of partiality, they protect themselves from public criticism and thus protect UM's reputation.

In particular, the following situations apply to conflict of interest:

- situations in which the UM associate is responsible for monitoring the work of another person and both of them are the same or related persons;
- when UM associates and students decide on recruitment, promotion, division of labour, assessment of work and evaluation of work performance as well as rewarding themselves or a person related to them;
- all forms of evaluating study results of related persons;
- UM associates and students having influence in regard to UM purchasing goods and services from persons related to them;
- the use of confidential information obtained by an UM associate or student in the course of his work at UM for private purposes;
- when under the guise of objectivity, researchers at UM publicly defend the interests of private or public funders of their work and this funding is not publicly revealed upon the publication of a scientific or scholarly work;
- when reviewers or editors are taking decisions about publications, funding, appointments, promotions or awarding themselves or persons related to them.

Related persons in terms of this chapter of the Code are deemed to be:

- immediate family members (spouse, children, adopted children, parents, adoptive parents, siblings and persons living with the individual in a collective household, in a consensual union or in a registered or unregistered partnership);
- persons with whom the UM associate shares financial or other personal interests.

If an UM associate or student is not certain whether a conflict of interest exists in a given situation, he informs the faculty's Dean or the Head of another UM member, who, in case of having any doubts, addresses the matter to the Committee established under this Code. The Committee publishes its practice from this field in form of questions and answers on the UM website.

IV. ACCEPTANCE OF GIFTS

UM associates do not accept gifts in relation to performing their job duties, except protocol gifts and gifts of small value. In this regard, they follow the university's instructions referring to receiving, handing out and recording gifts as well as comply with the act regulating the protection of integrity and prevention of corruption.

V. ETHICAL ATTITUDE IN EDUCATIONAL WORK

a) Attitude towards students

All who take up tasks from the field of teaching at UM (full-time study, part-time study, additional education programmes and other forms of lifelong education (hereinafter "teaching staff") are an example of ethical conduct in their teaching performance. They strive to transfer the values of such conduct to students and encourage them to it.

The teaching staff respect the integrity and autonomy of students and other lecturers and are respectful to them. They particularly protect the confidentiality of data obtained during the study process on individual students.

Academic freedom of students is related to the academic autonomy which binds students to a responsible and own-initiative fulfilment of the set study objectives as well as responsible acting in accordance with the UM Code of Ethics.

b) Provision of good-quality education

The teaching staff are obliged to consistently provide a high-quality level of their work. This includes preparing for pedagogical work and its implementation. The difficulty level of pedagogical work has to correspond to the cycle of study and motivate students.

The teaching staff are aware of their autonomous role as part of which they are an example to students and at the same time acting constructively when students express their suggestions for improvement.

c) Relationship between research and pedagogical work

The teaching staff ensure that research work is an integral part of the pedagogical process in all study cycles, thus providing a current and in-depth transfer of knowledge to students.

d) Study and working environment

According to their capabilities, the teaching staff strive for the associates and students to be motivated for study and work as well as for their well-being at the university. All possible difficulties and obstacles need to be monitored, recorded and resolved.

e) Pedagogical training of lecturers

The teaching staff provide for continuous further training which enables necessary qualification for good-quality teaching. Training is conducted in an organised manner (provided by the University of Maribor) and independently.

The teaching staff are always up to date with modern teaching methods.

Through their cooperation with universities abroad they ensure constant exchange of experience and transfer of new knowledge.

f) Realisation of curricula and other elements of study programmes' accreditations

Although pedagogical work is autonomous, this autonomy is limited with the obligation to follow curricula of individual learning units, which is arising from various positions within study programmes' accreditations (subjects, vertical and horizontal interconnection, etc.).

g) Monitoring and evaluating study results

The teaching staff are obliged to evaluate all forms of monitoring study results (homework, reports, seminar papers, tests, colloquiums, exams as well as final works in all study cycles) carefully, objectively and transparently.

h) Student obligations

UM students perform all current and final obligations independently, carefully and conscientiously, following the instructions of the performers of the learning units. Any kind of cheating during the performance of current and final obligations as well as during tests is in contradiction to this Code.

In preparing seminar and final papers, UM students respect the provisions of this Code on ethics and integrity in research.

i) Student survey

UM students complete the student survey conscientiously and objectively. They perceive the study survey as a privilege through which they express their opinion regarding the study process. They complete the questionnaire realistically and objectively, with constructive criticism (with approvals as well as expressed discontent and proposed changes) in the descriptive part of the survey.

The UM teaching staff accept the student survey as an opinion of students on the performance of their work, therefore its results are carefully studied and taken into account in further work with students.

j) Student representatives

Students who are elected or appointed as student representatives take part in the management of the University and its members as well as conscientiously and responsibly fulfil their obligations in bodies they are elected or appointed to.

k) Family relationships and other connections

The teaching staff do not provide students any benefits related to family or other private connections.

Lecturers do not evaluate study results of persons connected with them within the meaning of the chapter of this Code on the avoidance of conflicts of interests.

l) Personal relationships between teaching staff and students

The teaching staff understand that closer personal and intimate relationships between teaching staff and students raise questions related to inequality of power in a relationship, favouring or undermining confidence in the academic process.

If it comes to such relationships, it is necessary to strictly comply with the provisions of this Code on the avoidance of conflicts of interests and ensure that the relevant teacher is not responsible for any form of evaluation of the student's work.

If a student is experiencing unwanted or inappropriate behaviour by a teacher at UM or is in a relationship with a UM teacher, which the student considers as not really consensual or thinks that it occurred due to abuse of power, the student may turn to the trustee of the UM Code of Ethics or the UM Ethics Committee.

VI. ETHICS AND INTEGRITY IN RESEARCH

a) General

All who engage in research at UM (hereinafter "UM researchers") are obliged to comply with the latest version of the European Code of Conduct for Research Integrity adopted by the federation of All European Academies (ALLEA).

The official translation of the European Code provided by the Directorate-General for Translation of the European Commission represents Attachment 1 and a constituent part of this Code. Any later officially published updated versions of the European Code of Conduct for the Preservation of Research Integrity replace the current version of the Attachment by its publication on the UM website.

b) Authorship and co-authorship criteria

UM researchers are aware that authorship gives credit and has important academic, social and financial consequences. Authorship also includes responsibility for the published work. Therefore, UM researchers take care that associates who made a significant intellectual contribution to the work receive recognition from the authors and at the same time, through their cooperation as authors, they understand their role in taking responsibility for the published work. UM researchers are not allowed to benefit from the work of students and present the latter as their own work.

The author has to contribute to the content of the scientific article in a way that this represents a significant creative individual contribution (only the idea what the article should be about is not sufficient; only the provision of data is not enough as well as only coordinating and monitoring researchers or merely leading the department).

UM researchers follow the recommendations of the Vancouver protocol on the role of authors and co-authors (*ICMJE, Recommendations for the Conduct, Reporting, Editing, and Publication of Scholarly*

Work in Medical Journals), which in form of an unofficial translation into Slovene represents Attachment 2 and as such a constituent part of this Code.

In line with this protocol, authorship and co-authorship is bound by meeting all following four criteria:

- significant contribution to the conception or design of research either obtaining, analysing or interpreting research data AND
- preparing a draft of the scientific article or its critical review creating a significant intellectual contribution AND
- final approval of the version for publication AND
- agreement regarding the accountability for all aspects of the scientific work in terms of ensuring that the questions about the accuracy or integrity of any of its part are adequately considered and resolved.

What is more, the author to be accountable for the parts of the article he has created, he also has to be able to determine which co-authors are responsible for certain other parts of the article. In this regard, it is expected from the authors to have confidence in the integrity of the contributions by their co-authors.

If the order in which the authors are listed is not prescribed by the rules regarding publication (for example in alphabetical order), the author listed in the first place is the researcher who has performed the most important part of the scientific work and has also prepared the first version of the article. If there is a leader of a particular research who has the right to authorship in accordance with the provisions of this Code, this person is listed last.

Since different scientific fields have various conditions for the recognition of individuals who contributed to the publication, including the order of classifying authors in the publication, especially in interdisciplinary cooperation, it is necessary to discuss the expectations of the participants regarding the classification of authorship in advance, before the group of researchers begins working on the article.

Individuals who do not qualify as an author or co-author because they had a minor contribution to the creation of the work or were not directly involved in preparing the content of the article (for example administrative support, funding, proofreading, editing the citation style, etc.) can be listed among acknowledgements.

c) Obligation to funders

In the publication, authors are obliged to state the external funder of the research, the result of which is the relevant publication. By disclosing funders, on the one hand, we express our acknowledgement for supporting the research and on the other hand, remove potential doubts regarding the objectivity of research.

VII. THE ETHICS COMMITTEE OF THE UNIVERSITY OF MARIBOR

a) Composition of the Committee

To enforce the content of this Code, on the proposal of the UM Rector, the UM Senate appoints a six-member Committee with a term of office of three years. One member of the Committee is proposed

for appointment to the UM Senate by the Student Council. Members of the Committee cannot be persons for whom it was established in the past that they have breached the Code.

On expiry of their term of office, the members of the Committee may be re-appointed.

Members of the Committee elect among themselves the president of the Committee by simple majority.

If there is no member in the Committee from a UM member the employee of which is the suspected offender of this Code, the UM Rector appoints an additional member of the Committee from the relevant member to deal with the specific matter.

b) Processing reports

The UM Ethics Committee is competent to process only those reports in which the complainants accuse UM employees of violations of this Code. The affiliation of the complainant is not important (whether it is an UM employee, student or external person).

The complainants address the reasoned reports in writing containing the alleged violation of this Code to the UM Office for Legal Affairs with the indication "*For the UM Ethics Committee*", whereby they state in the report the name of the complainant, the name of the person to whom the alleged violation of the Code is referring, the alleged violation and available evidence supporting the statements.

As a general rule, the Committee does not deal with anonymous reports, except in cases, when it assesses that the report is adequately supported by evidence for the alleged violations of this Code.

The UM Office for Legal Affairs addresses the report to the president of the Committee who convenes a meeting of the Committee at the latest within one month from receiving the report. At the meeting, the Committee can reach one of the following three decisions:

- that the matter is manifestly unfounded and is being rejected;
- that the report is incomplete and asks the complainant for an adequate completion;
- that the report is complete.

In the latter case, the Committee informs the UM employee who is being alleged of a violation by the complainant about the received report and asks him to express his views on the allegations.

If necessary, the Committee may conduct an interview with the persons involved as well as with other persons who can provide information which will help to reach a decision in the matter.

When the Committee assesses that the dispute could be resolved with an agreement between the complainant and the UM employee who is being alleged of a violation by the complainant, the Committee may act as a mediator and help to reach such an agreement.

The Committee takes its final decision at the latest within three months since the UM Office for Legal Affairs has received the complete report.

The content of the Committee's decision reads that the Committee "HAS ESTABLISHED" or "HAS NOT ESTABLISHED" a violation of the UM Code of Ethical Conduct.

To give effect to this decision in accordance with the employment law provisions is in the responsibility of the UM Rector. In doing so, the Rector takes a disciplinary measure which corresponds to the gravity of the established violation.

c) Committee's principles of operation

In its operation, the Committee takes into account that a consistent and transparent treatment of alleged violations is in UM's best interest. In all procedures of examining alleged violations, the Committee follows the principles of integrity and fairness.

The members of the Committee are obliged to announce possible conflicts of interests that arise or could arise from examining specific violations, taking into account the chapter of this Code about conflicts of interests.

The Committee ensures protection of persons who are the subject of proceedings before the Committee.

d) Annual reporting to the UM Senate

Once a year, the Committee reports to the UM Senate on its work and may propose the Committee to adopt additional regulatory acts.

e) Assessing ethical aspects of scientific works before publication

The UM Ethics Committee is not competent to assess the ethical aspects of scientific works before their submission for publication or to assess ethical aspects of scientific project's proposals before their submission in a tendering process.

VIII. DISCIPLINARY COURTS FOR STUDENTS

Reports regarding the violations of this Code by UM students are considered by disciplinary courts of the members in accordance with Articles 222-244 of the UM Statute.

IX. TRUSTEE FOR THE UM CODE OF ETHICS

For a period of three years, the UM Rector appoints a trustee for questions relating to the UM Code of Ethics. This role cannot be performed by persons for whom it was established in the past that they have breached the Code of Ethics.

The trustee informally advises UM employees and students who consider that they have experienced infringement of this Code by UM employees or students. The trustee also has the role of a mediator, who gives advice to the person who confided in him and does not establish the existence of an infringement. After being appointed, the trustee specifies the office hours and contact information which are published on the UM website.

He treats all reports, written or oral, as confidential. If the person reporting the alleged violation so wishes, the trustee does not inform the alleged violator about the report, but merely advises the complainant regarding the possible ways of reporting the violation.

The trustee does not deal with anonymous reports. Once a year, he reports to the Rector about his work in the field of this Code and if necessary, proposes systemic improvements.

X. TRANSITIONAL AND FINAL PROVISIONS

With the adoption of the UM Code of Ethical Conduct, the UM Code of Professional Ethics adopted by the UM Senate on 24 November 2015 and the Code of Ethics and Integrity for Researchers at the University of Maribor adopted by the UM Senate on 24 October 2017 cease to be valid.

The Code of Ethical Conduct is a binding general act of the UM and is used for all UM employees and students after the adoption at the UM Senate, as of the date of publication on the UM website.

Heads of UM members are responsible for informing the employees at the member about the UM Code of Ethics. The UM Student Council is responsible for informing UM students at faculties about the UM Code of Ethics.

Prof. dr. Zdravko Kačič
Rector of the University of
Maribor

Attachments:

- Attachment 1: The federation of All European Academies (ALLEA), European Code of Conduct for Research Integrity, Berlin 2018.
- Attachment 2: International Committee of Medical Journal Editors (ICMJE), Recommendations for the Conduct, Reporting, Editing, and Publication of Scholarly Work in Medical Journals, the Vancouver protocol on the role of authors and co-authors, December 2019, unofficial translation into Slovene.