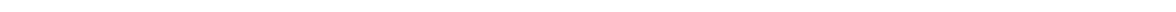




**University  
of the Arts  
The Hague**

# **Code of Integrity University of the Arts The Hague**



## Introduction

Everyone in our university must act with integrity. In other words, they must perform their function in a proper and diligent manner. Important benchmarks of integrity are our core values: openness, honesty, reliability, diligence and responsibility. The purpose of the Code of Conduct on Standards of Behaviour (or Code of Integrity) is to create awareness of situations where a person's integrity might be compromised and how we can and will address such situations.

The code of conduct translates the University of the Arts' core values into guidelines on how staff members and managers should conduct themselves, as well as how people should behave towards one another and the desired culture within our organisation. It also describes types of behaviour that are never acceptable and situations that must be avoided. The director examples are theft, waste, fraud, corruption, abuse of power, conflicts of interest and undesirable activities outside the University.

A code of conduct illustrates areas where tensions can arise in relation to moral issues and ethical dilemmas. Monitoring and strengthening our integrity is important because unethical action can often have major consequences for both employees and the institution. Awareness of the tensions, dilemmas and risks will help in recognising unethical behaviour, hopefully generate discussion of the subject and provide solutions in the event of breaches of integrity, as well as preventing them as far as possible. In this context, it is crucial that managers and members of the Executive Board and the Supervisory Board set the right example.

At the same time, we realise that this code does not cover every situation. What constitutes ethical behaviour cannot be viewed separately from the context in which that behaviour occurs. However, there are a number of regulations the university can use as a basis for assessing the integrity of behaviour or to address incidents involving breaches of integrity. Those instruments include:

- Dutch Higher Education and Research Act (WHW)
- Code of Good Governance for Universities of Applied Sciences
- Code of Conduct for International Students in Higher Education
- Collective labour agreement for higher professional education

as well as regulations adopted by the University itself:

- Code of Conduct
- Complaints Procedure for Inappropriate Behaviour
- Student Charter
- Education and Examination Regulations
- House Rules
- Whistleblowing Regulations
- Board Rules

*What are we entitled to expect of each other?*

The collective labour agreement (CAO) for higher professional education provides that staff members must conduct themselves as 'good employees'. That has not changed. Nevertheless, the fact is that having disposition over finances and handling personal data, but also personal

circumstances or specific problems can make people vulnerable. It is the task of a manager to assess and contain the risks of such vulnerabilities as far as possible, if necessary by applying control measures. Those measures might involve carrying out checks, segregating duties or raising an issue for discussion during staff meetings, performance reviews or job interviews. One aspect of being a 'good employee' is discussing your own vulnerabilities with your manager or the confidential counsellor.

There are also clear expectations that managers and members of the Executive Board and the Supervisory Board have to meet, for example that they will actively meet their duty of care. As an institute of education, the university of the arts has a duty of care towards its students; as an employer, it has a duty of care towards its employees. This means that the university must design the organisation and work processes in such a way as to avoid risks to integrity as far as possible. As a good employer, the university must also establish facilities for asking questions, discussing dilemmas, reporting wrongdoing or suspicions of wrongdoing, as well as formal procedures for making complaints. Naturally, the managers' own behaviour, actions and communication must be beyond reproach, their own conduct must be exemplary and they must be accountable and take responsibility for their own behaviour.

Nevertheless, it is impossible to exclude the possibility that it will sometimes be necessary to assess particular conduct against legally prescribed standards of good employer and employee practice and guidelines on good governance.

#### *Moral-ethical decisions and actions*

On occasion a particular situation or action that is not covered in this code or in other rules and regulations could still be regarded as lacking integrity. There may also be situations or conduct that are described as inappropriate in this code or other rules and regulations but which under certain circumstances do not necessarily conflict with the code or other regulations.

In such cases, when there are no rules or the rules are unclear, we are expected to make judgements and act in a morally responsible manner and on the basis of generally accepted social and ethical standards and values.

This depends on the existence of an open culture. A characteristic of an open culture is that we are prepared to discuss our doubts with each other and inform others of our dilemmas, are capable of forming a moral judgement and are able and willing to provide feedback to one another in a professional manner. To establish a permanent open culture, we must actively endeavour to create, preserve and monitor social safety.

Our integrity code is expressly intended to cover all of these issues and dilemmas, and to support and encourage staff members to work together in creating an environment in which everyone is open, fair, reliable, responsible and accountable and respectful of one another through effective dialogue.

## Code of Integrity

The Executive Board of the University of the Arts The Hague resolves – having regard to the provisions of II.1.3.b of the Code Good Governance for Universities of Applied Sciences - to adopt the following Code of Integrity.

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### Article 1 Definitions

<i>Articles of Association:</i>	The organisation's articles of association;
<i>Code:</i>	The Code of Conduct on Standards of Behaviour adopted by the Executive Board for the organisation;
<i>Employees</i>	The persons who have an employment contract with the HdK, who are employed by the HdK or who work or develop an activity on the instructions of the HdK. Where students make use of resources of the HdK or act on behalf of the HdK, this code also applies to them.
<i>Executive Board:</i>	The body that exercises the organisation's administrative duties and powers;
<i>Law/the Act:</i>	The Dutch Higher Education and Research Act;
<i>Supervisory Board:</i>	The body that exercises the organisation's internal supervision;
<i>University:</i>	University of the Arts The Hague;
<i>We:</i>	All of the staff members and the members of the Executive Board and the Supervisory Board.

## **Article 2        Scope of the Code of Integrity**

This Code applies to the actions and activities of all staff members who are involved in the University (and its organisation) on the basis of a contract of employment, secondment, temporary employment, voluntary work or an internship.

The Code also applies to the actions and activities of members of the Executive Board and the Supervisory Board.

This means that the Code is not applicable to students, with the exception of students who are active in the University's bodies.

For everyone concerned, the requirement to adhere to the standards laid down in this Code is not confined to their working hours or their workplace.

## **Article 3        Adoption and amendment of the Code**

3.1     The Code is adopted by the Executive Board. Before deciding to adopt or amend the Code, the Executive Board will give the Supervisory Board and the University Council the opportunity to advise on the proposed adoption or amendment.

3.2     The Executive Board will evaluate the functioning of the Code at least once every four years and will decide – with due observance of the provisions of the first paragraph of this article – to amend the Code if necessary.

3.3     The Executive Board will arrange for publication of the Code and ensure that the Code is accessible to staff members, parents/guardians and other stakeholders outside the organisation.

## **Article 4        Compliance with the Code and possible sanctions**

This Code is expressly not an informal document. Staff members or members of the Executive Board and the Supervisory Board who fail to comply with the Code (and any other regulations referred to in this Code) will be held accountable and may be liable to sanctions. In the case of criminal offences, the University of the Arts will always report them.

Before a sanction is imposed, there will always first be an investigation to determine whether the suspicion involves an actual breach of integrity. A (temporary) disciplinary measure may be taken prior to or during the investigation in order to constrain the action concerned.

Measures against students who violate the rules on integrity will range from a warning to permanent deregistration.

## **Article 5      Core values of integrity**

The guidelines for acting and communicating with integrity within the organisation are based on the following core values:

### **Open**

We are open to the opinions of others and to new experiences. We disclose any issues that arise. We are transparent and do not conceal information. Although it can be difficult, we are nonetheless transparent in the knowledge that it is ultimately the best course of action: it allows colleagues, students and other stakeholders to provide input and help shape everything that allows our institution to flourish. We cannot and do not have to solve everything ourselves and are therefore willing to listen to others.

### **Honesty**

We tell it as it is, without hiding anything. We tell the truth. We are direct in our communication. We avoid gossip and backbiting. We are true to ourselves. We don't tell only half the story or withhold information. We provide everyone with the same information.

### **Trustworthy**

We say what we mean and mean what we say. A deal is a deal. We say what we do and do what we say. We can count on one another. We use knowledge and information available to us by virtue of our position and job solely for the purpose for which that knowledge and information was acquired or provided.

### **Diligent**

We are careful and attentive in our work and towards each other. We are conscientious, precise and meticulous in the work we do and in our interaction with each other and with third parties. We pay attention to detail. We take care of each other in a manner befitting our mutual relationships. We make agreements that are realistic and which everyone can adhere to. We are clear about what we can expect from each other. Decisions are made only after careful preparation.

### **Responsible**

We take responsibility for our tasks and work together in a professional manner. We do not manipulate data or facts. We are not susceptible to blackmail, manipulation, fraudulent acts, displays of power or inside dealing. Information told in confidence is safe with us.

We also take responsibility for the performance of our jobs by being accountable to each other and to students, course participants and external stakeholders for compliance with this Code. We are willing to account for our actions when required to do so, in the process giving and receiving feedback in a professional, correct, respectful and direct manner.

## **Article 6      Avoiding conflicts of interest**

Staff members must put the interests of the university first in the performance of their work, even if those interests do not correspond with their own interests or opinions.

This means that personal interests must not dictate the decisions and choices you make and the actions you take in the performance of your job. This relates not only to interests that will or could directly benefit you, but also to interests that will or could benefit people in your private environment, your partner, acquaintances or friends, or could provide an advantage or the appearance of an advantage for an organisation, company or institution with which you are associated.

Primary responsibility for being alert to a possible conflict of interest rests with you as an employee. You must report any personal interest that plays (or could play) a role in the performance of your work or any potential conflict of interest or semblance of a conflict of interest to your manager at the earliest possible opportunity.

These principles are reflected, among other things, in the following rules:

### 6.1      Employees of the organisation:

- a.    must actively declare business or financial interests in other organisations, companies or institutions. They may not participate in (subsidised) programmes and/or projects for the University through a private company without the consent of the manager;
- b.    must not enter into agreements with persons, organisations, institutions or companies in the private sector. They may also not cause others to conclude such agreements. In serious or exceptional cases, the manager will weigh the interests and notify the Executive Board;
- c.    must not participate in decisions on job applications, tender procedures, procurement or hiring if any of the candidates is a person in their private environment;
- d.    must not assess or serve as an examiner of students with whom they have a family connection or who are personal acquaintances. Employees must report such a situation to their manager, who will then take such measures as to ensure that the student in question experiences no advantage or disadvantage.

6.2      The provisions of the first paragraph of this article apply *mutatis mutandis* to the members of the Executive Board and the members of the Supervisory Board, having regard to the rules on avoiding conflicts of interest as laid down for these board members in the law, the University's articles of association and the organisation's regulations.

## **Article 7 Ancillary positions**

The University of the Arts is happy for its staff members to be employed in professional practice: the combination is essential for maintaining the quality of our education. However, it is important that the content of these and other ancillary activities do not conflict with the University's interests and that the number of hours and the times of the work can be readily combined with the individual's job with the University.

- 7.1 Employees will register all paid and unpaid ancillary activities in the digital personnel file. These activities will be assessed by the manager.
- 7.2 If the manager takes the view that the ancillary activities conflict with the University's activities or interests, (might) lead to a conflict of interest or cause harm to the University, and that it is not possible to revise them, the employee must discontinue those activities.
- 7.3 During the term of their contact of employment with the University, employees will not also perform paid ancillary activities for the University, for example as a self-employed person.
- 7.4 The provisions of the first paragraph of this article apply mutatis mutandis to the members of the Executive Board and the members of the Supervisory Board, having regard to the rules on the performance of ancillary jobs as laid down for these board members in the law, the University's articles of association and the organisation's regulations.

## **Article 8 Travel, excursions and events**

- 8.1 Participation in excursions and attendance at events at the invitation of third parties are only permitted if – at the discretion of the manager – they serve a specific interest of the University.
- 8.2 Employees may only make a business trip abroad with the consent of their manager. In considering a request, the manager will take into account the purpose of the trip, its importance for the organisation and the cost.
- 8.3 An employee who, by reason of his/her position and with the consent of his/her manager, makes a business trip of one or more days in the Netherlands or abroad must act in a cost-conscious fashion during the trip.
- 8.4 An employee is not permitted to combine a business trip with private matters and, for example, to allow third parties to travel with him/her in this context.
- 8.5 If a member of the Executive Board or the Supervisory Board wishes to make a business trip abroad, the provisions of the previous articles apply mutatis mutandis. The Supervisory Board will decide on a request.



**Article 9        Gifts, donations, invitations or services**

- 9.1        Gifts and donations of more than € 50 received by employees, members of the Executive Board and members of the Supervisory Board by virtue of their position must be reported and registered and are the property of the organisation.
- 9.2        Gifts or donations with an (estimated) value of less than € 50 may be retained, but must be reported to the manager.
- 9.3        Employees, the members of the Executive Board and the members of the Supervisory Board must always refuse a gift, a donation, an invitation or a service if the University is engaged in consultations or negotiations with the donor.
- 9.4        A gift, donation, invitation or service will not be accepted if the donor demands consideration for it or if third parties could reasonably believe that the donor would expect or demand consideration for it.

**Article 10        Handling resources, facilities, equipment, spaces and time**

Staff members will treat the University's resources, facilities, equipment, spaces and time with care.

- 10.1        Materials, equipment or property belonging to the University may not be used for personal use, even outside working hours, except with the permission of a manager.
- 10.2        No goods or services for private use may be purchased through the University.
- 10.4        The University's buildings and grounds may not be used for private purposes.
- 10.5        External suppliers and service providers will be dealt with in a professional manner.
- 10.6        Restraint will be shown in incurring costs at the University's expense.
- 10.7        Only business expenses that are actually incurred and are not reimbursed in any other way may be claimed.
- 10.8        Expenses claims must always be verifiable.
- 10.9        The rules and conditions governing expenses claims will also apply when using credit cards.
- 10.10        Employees will not appropriate any money or goods under their control or withhold (temporarily or permanently) money or goods.
- 10.11        The working hours for the University will be devoted exclusively to work and activities that are part of the job. This rule may only be departed from by agreement with the manager.

- 10.12 Employees will adhere to the agreed working hours. Breaks (including lunch break, smoke break) do not fall under working hours and will therefore not be recorded as 'hours worked'.
- 10.13 Employees will keep accurate records of the hours they have worked and fill in the leave sheet truthfully. The leave sheet will be approved and registered by the manager.
- 10.14 Working hours will be respected, in accordance with the rules in the collective labour agreement for higher professional education, the employment contract and any additional agreements with the manager.
- 10.15 Waste will be avoided as far as possible. Examples of waste include negligent, inattentive or indifferent use of the University's materials, time and finances and intentionally or unintentionally performing one's job less effectively and efficiently than is reasonably possible.
- 10.16 The provisions of this article apply mutatis mutandis to members of the Executive Board, having regard to what has been agreed with the Supervisory Board concerning those members' use of facilities.

#### **Article 11 Reporting (suspected) breaches of integrity**

Examples of breaches of integrity are conflicts of interest, undesirable ancillary activities, corruption, fraud, theft, waste, misuse of services or information and abuse of power.

Breaches of integrity – or suspected breaches – within the organisation will not be reported to the press or to third parties outside the organisation.

If staff members or members of the Executive Board or the Supervisory Board are confronted with unethical behaviour, they will first address the individual(s) concerned themselves.

Employees of a learning organisation report their own vulnerabilities, errors, negligence, misunderstandings and incidents to the manager in order to prevent incidents in the future.

An individual's behaviour will first be discussed with that person. Depending on the gravity of the failure to act with integrity and/or the outcome of that discussion, the staff member will report the misconduct or suspected misconduct to the manager or, if that is regarded as undesirable, to the faculty's director.

A student who is confronted with or suspects unethical behaviour on the part of a staff member can report it to the head of the study programme or, if that is regarded as undesirable, to the faculty's director.

The Confidential Counsellor on Integrity can provide advice and information to employees and students and offer assistance in making a notification or submitting an official complaint. The confidential counsellor can also make a notification on behalf of an employee, a student or a third party.

Where applicable, staff members and students can make use of the University's Whistleblowing Regulations.

Incidents where an individual witnesses violations involving several employees, or even managers, which affect the organisation or large parts of it and/or groups within the organisation, are referred to as 'abuses'. Abuses that are so serious that 'the public interest is at stake' are referred to as social abuses and fall under the Dutch House for Whistleblowers Act and can be reported to the [Huis voor Klokkeluiders](#).

#### **Article 12 Criminal offences**

Incidents where staff members are suspected of committing criminal offences by virtue of their job will be reported directly to the Executive Board or – if it concerns a member or members of the Executive Board – to the Supervisory Board.

It is the responsibility of the Executive Board or the Supervisory Board to decide whether the reported facts provide grounds for reporting the matter to the police or for conducting a further investigation.

#### **Unforeseen circumstances**

In situations not provided for in this Code and/or the underlying regulations, if the text of the Code can lead to a difference of interpretation or if the application of the Code leads to manifest unfairness, the Executive Board (or if the matter concerns (a member of) the Executive Board, the Supervisory Board will make a decision.

#### **Final Provisions**

This Code is referred to as the 'Code of Integrity, University of the Arts The Hague' and is published on the website of the University of the Arts and on the portal of the Royal Academy of Art, the Royal Conservatoire and the School for Young Talent. The Code will also be brought to the explicit attention of new and existing employees, students and third parties who work in or for the University of the Arts.

*Decision taken by the Executive Board dated 28<sup>th</sup> June 2022  
after the University Council's positive advice on 27<sup>th</sup> June 2022*