

# **CODE OF CONDUCT**

## **of**

### **the Institute for Human Sciences**

#### **1. What is the Code of Conduct of the Institute for Human Sciences?**

The Institute for Human Sciences (IWM) is a private, independent institute for advanced study in the field of humanities and social sciences. It promotes intellectual exchange between academia and society and between a wide range of disciplines and schools of thought. It is organised as an association and exclusively pursues charitable aims. Its activities are not for profit.

The IWM's Code of Conduct sets out the common values and rules of conduct that must be abided by at the Institute. The Code of Conduct is a commitment entered into by all members of the Institute to observe certain rules of conduct and is intended to ensure compliance with these rules. This Code of Conduct at the IWM was developed by the Rector and the Academic Staff together with the employees of the Institute.

It supplements the statutes and the rules of procedure of the Institute in their respective valid versions, as well as the Internal Control System (ICS), the "Donations Acceptance Policy and Procedures at IWM" guidelines, and the library and archive regulations.

#### **2. Scope of application**

The IWM is a community of Permanent and Visiting Fellows as well as other scientific and non-scientific employees. This Code of Conduct shall apply to all those involved in the work of the Institute, including the Institute's management (the Board of Trustees, General Assembly and the Rectorate, as well as all those entrusted with the management of the Institute's operations), regardless of the type of employment contract. This group of persons is referred to as "members" below.

#### **3. General/basic conduct**

Ethical and lawful conduct is the foundation of the IWM's work. The members shall pursue their activities in line with all legal requirements. It is the responsibility of the Institute's management to organise the Institute's internal activities as well as the IWM's activities, both externally and internally, in a manner that serves the purposes of the IWM and is commensurate with the regulations set forth in this Code of Conduct.

## **4. Conduct**

### *4.1. Equality and anti-discrimination*

The IWM is committed to equality. The principle of equal rights and equality shall apply to all members and job applicants regardless of gender, age, marital status, nationality, ethnicity, religion, ideology, social or geographical origin, sexual orientation, language, disability or political convictions, with the exception of those that are expressly prohibited by law.

The IWM shall respect the privacy and human dignity of all of its members. It rejects all forms of discrimination, intimidation, harassment, including sexual harassment, threats, insults and any kind of offensive behaviour in the workplace and shall take disciplinary and, where appropriate, legal action to punish such misconduct.

### *4.2. Principles of cooperation*

The cooperation between the members of the IWM is based on mutual respect and appreciation. It is the responsibility of the Institute's management to communicate the objectives of the Institute to its employees and to create a working environment in which the latter can carry out the work assigned to them such that qualitative and quantitative criteria are met in accordance with their training and experience under the terms of their contract of employment.

In the event of conflicts, the members of the Institute shall endeavour to find objective solutions within the framework of a conducive climate of discussion. Disputes arising from their affiliation with the association shall be decided by the Arbitration Panel in accordance with the statutes. Its decisions are final within the association. However, it is up to the Institute's management to decide whether, in the case of unresolved, ongoing conflicts, the support of (external) mediators or supervisors should be requested.

## **5. Data protection, confidentiality, resources**

### *5.1. Confidential information*

The members of the Institute must treat all internal and business information, unless it is in the public domain, as confidential and maintain confidentiality. This duty of confidentiality shall apply to intellectual property, business and trade secrets and expertise of the IWM, as well as to all data of its partner organisations. Confidentiality means that these contents may not be disclosed to anyone outside the IWM or to any parties other than the partners concerned. The only limit to confidentiality is the legal obligation to assist the police or other competent authorities in their investigations.

The personal data of natural persons shall be treated with strict recourse to the GDPR in its applicable version. The members of the Institute shall receive regular training to this end.

### *5.2. Copyright*

The IWM shall respect the IP (intellectual property) rights of third parties and shall also take steps to protect its own intellectual property. With this in mind, all relevant rights holders must always be named in publications and other media, unless this is expressly prohibited. Intellectual property shall only be utilised on the basis of an agreement with the rights holder or on the basis of legal circumstances.

### *5.3. Environmental protection and handling of resources*

A responsible approach to the environment and nature is fundamental to the Institute's approach. All members are required to play an active role in helping to protect the environment and to use the Institute's resources in a responsible manner.

The IWM shall provide its members with resources for the execution of their duties. The members are obliged to use these resources in an appropriate manner and to keep their use for private purposes to a minimum.

In order to ensure an optimal workflow, members shall, under certain conditions, such as leave of absence, prolonged illness or other incapacity to work or prolonged absence from the workplace, undertake to grant another member of the Institute, nominated by the Institute management, full access to relevant working documents and to their email account ending in @iwm.at.

### *5.4. Internet usage*

The rules for proper conduct for internet usage shall apply.

## **6. Corruption and conflicts of interest**

### *6.1. Corruption*

The IWM shall not tolerate corruption and shall take decisive action against any form it may take. Corruption denotes the abuse of entrusted power for private benefit or advantage. Corruption offences include all criminal offences of accepting and granting advantages, regardless of whether or not they involve public officials. Corruption can take the form of bribery (granting an undue advantage or promise of an advantage) or corruptibility (acceptance of an advantage or acceptance of a gift).

A final conviction or diversionary treatment on the basis of an offence of corruption can lead to the termination of the employment relationship or any other contractual relationship. In addition, claims for damages may be made against members in the event that the IWM has suffered damage as a result of such actions.

The value of gifts made to members of the Institute must be within a reasonable range. No influence whatsoever may be brought to bear as a result of the amount or nature of the gift. Members may not accept gifts, favours and invitations or accept other personal benefits offered to them in connection with their duties and which exceed a maximum of 100 euros.

### *6.2. Conflicts of interest and bias*

Every member of the Institute who is involved in a negotiation or decision-making process and for whom a potential conflict of interest or a reason for bias is apparent is obliged to disclose this conflict of interest. The member may subsequently either refrain from participating in the negotiations or decisions and/or must inform the Compliance Officer. If a third party suspects that a conflict of interest exists, he or she may consult the Compliance Officer.

If the Compliance Officer is informed as to a possible conflict of interest or otherwise becomes aware of such a conflict, he/she shall decide independently whether a conflict of interest actually exists. For the purpose of determining whether a conflict of interest exists, the Compliance Officer shall be granted access to all documents relating to the specific case.

If the Compliance Officer decides that a conflict of interest exists, he/she must inform the Institute's management. If the procedure in question has not yet been completed, the Compliance Officer must be involved in the decision-making process. No decision may be taken on the matter without the express consent of the Compliance Officer. The Compliance Officer may only withhold his/her consent in the event of a conflict of interest that is detrimental to the IWM or which violates the principles of these guidelines.

Conflicts of interest may occur at the IWM, particularly in the context of jury selection procedures. Juries at the IWM must adhere to the rules of good academic practice. When recruiting Fellows, academic quality is the most important selection criterion.

## **7. Supervisory mechanisms**

### *7.1. Organs of the IWM*

The IWM's Board of Trustees and the General Assembly shall enjoy supervisory powers as regards the Institute's management. According to its statutes, the Institute has both an Academic Advisory Board and a Board of Patrons. The former may prepare expert opinions and statements on scientific questions and may review ongoing as well as completed academic projects supported by the association. The Board of Patrons has a comprehensive support and advisory function with regard to the association.

### *7.2. Compliance Officer – reporting of irregularities*

The Board of Trustees shall appoint a Compliance Officer. The Compliance Officer is not subject to directives concerning the obligations and authorisations assigned to him/her under this Code of Conduct. If a member establishes the existence of an irregularity, in particular with regard to these guidelines, he/she is free to report this to the Compliance Officer for further consideration. If the member so wishes, the Compliance Officer shall be obliged to refrain from disclosing the identity of the person providing information (including to organs of the IWM). The accused party must be informed (without delay) by the Compliance Officer of the existence of a suspected case. In the event that there is a justified suspicion of a criminal act, the Compliance Officer shall be obliged to report this. The Compliance Officer is entitled to file this report on behalf of the IWM.

Accused persons should under no circumstances be informed as to the identity of the person filing this report. Only with the consent of the reporting party may his/her identity be disclosed. Reports filed in good faith shall not under any circumstances lead to sanctions against the reporting party. Deliberate false reports shall lead to disciplinary consequences. Accused persons must be informed about the accusations made as soon as possible. They have the right to make statements before their actions are assessed. Stored data must be destroyed immediately after investigations have been concluded, provided no violations have been established.

The Compliance Officer shall, on an annual basis, report orally to the Institute's Board of Trustees regarding whether all rules to be adhered to by the IWM have indeed been sufficiently observed. In the event of shortcomings, the Board of Trustees may, if necessary, take measures suitable to remedy these shortcomings. Minutes must be taken at the meeting of the Board of Trustees in question.

### *7.3. Auditing of financial management*

The IWM has a Financial Control Commission, which is responsible for auditing the financial management of the association with regard to the correctness of the accounts and the use of funds in accordance with the statutes, as well as for reporting and submitting proposals to the General Assembly. It must complete this audit within four months after the preparation of the annual accounts. The General Assembly may, if this is not already required by law, appoint an auditor to execute the Financial Control Commission's tasks. If this is the case, the Financial Control Commission shall, following the audit, examine the economy, efficiency and expediency of the business transactions.

## **8. Special provisions**

### *8.1. Bilingualism*

The IWM derives its commitment to bilingualism from its commitment to Vienna as its seat and with an international approach in mind. All documents that members require for the fulfilment of their duties should be available in German and English as far as possible. In case of doubt, the German versions shall be considered to be binding.

### *8.2. Public relations work*

Only those who have been authorised or commissioned to do so by the statutes, the rules of procedure and authorised bodies of the IWM may speak or act on the IWM's behalf. If this is not the case, such persons shall only express their personal views or opinions.

## **9. Concluding remarks**

Violations of the guidelines set forth in this Code of Conduct may, depending on the offence, result in legal, disciplinary or criminal consequences. All members of the Institute are required not only to abide by the abovementioned rules, but also to respect the underlying spirit of ethical, moral and professional conduct.

Vienna, 18 December 2019