

UNIVERSITY OF ALGARVE

Order No. 2131/2020

Summary: Code of Ethics of the University of Algarve.

University of Algarve Code of Ethics

Under the combined terms of the provisions of sub-paragraphs o) and q) of no. 1 of Article 92. of Law no. 62/2007 of 10 September, of sub-paragraph w) of no. 1 of Article 33. and having heard the Academic Senate, pursuant to the provisions of sub-paragraph a) of no. 3 of Article 38. of the Articles of Association of the University of Algarve, approved via Regulatory Dispatch no. 65/2008 of 11 December 2008, published in the *Official Portuguese Gazette*, 2nd series No. 246 of 22 December 2008, I hereby approve the Code of Ethics of University of Algarve, attached to this order.

Preamble

The Code of Ethics of the University of Algarve (hereinafter referred to as the Code) aims to promote the humanistic action of all those who work at the institution, while simultaneously helping to strengthen the mission of the University of Algarve (hereinafter referred to as UAlg) in safeguarding ethical, bioethical and deontological principles in the areas of scientific research, education, interaction with society, and society's general functioning.

According to the provisions of no. 7 of Article 9. of Law No. 62/2007 of 10 September, which establishes the Legal Framework for Higher Education Institutions, higher education institutions may define codes of good pedagogical practices and good governance and management. Its contents must define consensual principles, values and norms that reflect the academic community as an organic whole, constituting a normative framework that does not result in a legal and conflicting apparatus, but rather an ethical dimension enriching high standards of integrity, ethics and professionalism.

The creation of a Code of Ethics will allow a material and procedural contextualization for purposes of defending and defining axiological criteria, which make up the *ethos* of university life, not overlapping with current regulations, but rather complementing others that define institutional rights and duties and the rights and duties of the members of the academic community, standardizing methodologies of good ethical practices in scientific, pedagogical, management and administrative areas.

According to this structure, the Code is organized into five chapters: the first, containing common provisions; the second related to fundamental principles, containing informational rights and duties of the academic community; the third relating to ethical duties, in particular of teachers, students, researchers, non-teaching staff and non-researchers; the fourth dedicated to ethics in scientific research and the fifth containing final provisions.

CHAPTER I

Common provisions

Article 1.

Object

The Code derives from the provisions of Article 33. of the UAlg Articles of Association, approved by Regulatory Dispatch no. 65/2008, of 11 December, published in the *Official Portuguese Gazette*, 2nd series, no. 246 of 22 December, and its general objective is to establish ethical principles of an informative nature, as well as to define an axiological framework to guide good practices at UAlg.

Article 2.

Scope

- 1 — The Code is addressed to the entire academic community.
- 2 — The academic community is considered to be the group of teachers, students, researchers, non-teaching workers and non-researchers, with an organic and functional relationship with UAlg.
- 3 — The Code also applies to all people who interact with UAlg within the scope of its activities, namely, scholarship holders, potential employees, service providers and visitors, without prejudice to the specificity of the particular bond and also within the scope of interpersonal relationships, as well as the conduct towards the cultural, animal and natural environment of UAlg, within the physical space of the campuses, or outside it, whenever the person in question is being represented, or inserted in the Institution's activities.

Article 3.

Ethics Committee

- 1 — The analysis of the ethical issues provided for in this Code is the responsibility of an Ethics Committee (EC) appointed by the Rector.
- 2 — The mission of the EC is to contribute to the observance of ethical, bioethical and deontological principles in the activity of UAlg.
- 3 — The EC has its own procedural by-laws, approved by the Rector.

CHAPTER II

Academic ethics in general

Article 4.

General principles and values

The following are general principles and values of UAlg, in terms of ethics and good practices:

- a) Recognition of a person's right to dignity and quality of life, based on training, research, dissemination of the concept of citizenship and rendering of services to the community, based on high standards of personal, professional, social, environmental and economic responsibility;
- b) The defence of truthfulness and honesty in words and deeds, with honesty of conduct, objectivity, transparency and loyalty, in the production, processing and presentation of information and knowledge;
- c) The exercise of rights and the fulfillment of academic duties that are regulated and consensually enacted and accepted in the academic community;
- d) Unbiased and impartial decision-making, resolving any conflicts in the best interest of the academic community and, proportionally, in the interest of its members;
- e) Respect for the vulnerability of the human, environmental and animal condition in the forms of increased protection or positive discrimination, when regulated or validated by principles of justice and equity;
- f) Respect for the heritage, good name, image and honour of UAlg, with consideration, proportionality and respect in the parsimonious use of resources, namely human, material, digital and financial resources;
- g) Favouring the free expression of ideas and opinions, guaranteeing the freedom of scientific, cultural and technological creation, and the demands for the production of knowledge in democratic societies;
- h) Respect for specific identity, autonomy of people and dynamics of cultural diversity in the academic community, as a rational expression of decision-making and own action, with refusal of coercion or any type of constraint;
- i) Encouraging the participation of all university bodies in common academic life, promoting a close connection between their activities and their community.

Article 5.

Rights of the academic community

1 — The rights of the academic community are:

- a) The existence of good material and human conditions necessary for the proper exercise of activities;
- b) Respect for the community's facilities, equipment and natural and animal environment, its safety and hygiene rules, as well as the protection of its members' material and intangible assets; in particular their life, safety and health, with the absence of acts of violence, consumption of illicit or other substances, which affect their functional performance;
- c) The right to equality, with access to rights and fulfilment of the required obligations, without exemption from any duty;
- d) The right to respect and treatment with politeness, correctness and cordiality, with the right to compensation for damages suffered due to slanderous accusations, false information or falsification;
- e) The right to internal regulation that allows the management and resolution of possible individual, institutional or other conflicts of interest;
- f) The right to information, in useful time, about the rules that regulate the academic community and the development of its activities and, upon request, about the progress of processes in which he/she is an interested party, as well as the right to obtain an administrative decision within the applicable legal and regulatory timeframes;
- g) The right to petition about the academic community's own activities, namely regarding the organization and management of UAlg, teaching and research;
- h) The right to participate with rigour and a sense of responsibility, in the objective and justified evaluation of their performance, under the terms of the law and respective regulations, so that the merit, dedication and effort undertaken are recognized and valued;
- i) The right to vote and eligibility for the bodies of UAlg and its organizational units, pursuant to the terms of the law and UAlg articles of association, and to participate in organized, academic, cultural, sporting or other activities, in accordance with the respective rules;
- j) The right to manage, in an adequate and proportionate manner, all information concerning its members, respecting the confidentiality of personal data;
- k) The right to prompt and adequate assistance in the event of an accident or sudden illness, occurring or manifested during the course of their activities.

2 — Members of the academic community may submit complaints to the EC, due to actions or omissions of the bodies of UAlg and its organizational units, claiming violation of member rights provided for in this Code, and the EC shall assess them without decision-making power, directing to the competent bodies of UAlg the necessary guidelines and/or recommendations.

Article 6.

General duties of the academic community

1 — The following are general duties of all members of the academic community, in addition to respecting the general law, articles of association, regulations and codes of conduct of UAlg:

- a) The promotion of the public interest in the exercise of its activities;
- b) The promotion of the general principles and values of ethics, set out in this Code;
- c) The fair and cordial treatment of any member of the academic community, with the right to assistance for damages suffered due to slanderous accusations, false information or falsifications;

- d) The non-discriminatory treatment of any member of the academic community, namely based on nationality, origin, gender, religious, political or sexual orientation, ethnicity, age, hierarchical position, function, physical condition, economic situation or social condition, preventing and denouncing any form of targeted harassment or coercion;
- e) The provision of all possible support and assistance to all recipients of this Code, in accordance with the circumstances of danger to their physical and moral integrity;
- f) Competent, responsible, timely, assiduous action, with rigour and integrity, in carrying out the activities in which they are involved;
- g) The defence of the honour of UAlg and its dignity;
- h) Active participation, with rigour and a sense of responsibility, in internal and external assessment processes;
- i) Refrain from illegitimately appropriating or using brands, logos, assets, funds, or any official documents of UAlg, including identification cards or similar items, and passwords;
- j) The defence of intellectual property, whether in the relationship between members of the academic community, or in its interaction with society, respecting the legitimate interests of the parties involved;
- k) Refrain from encouraging members of the academic community or third parties to violate the rules of this Code.

CHAPTER III

Ethics duties of members of the academic community

Article 7.

Duties of teachers, researchers and non-teaching and non-research workers

1 — Within the scope of the services provided by the various employees of UAlg, in addition to the general duties established in this Code, and without prejudice to what is determined in the respective legal framework in force, their specific obligations are as follows:

- a) Properly perform the activities and tasks assigned to them within the scope of the functions they perform, refusing any abuse arising from the power inherent to these;
- b) Ensuring the adequacy, transparency and equity of the selection, assessment and classification processes entrusted to them and in accordance with the rules in force;
- c) Proceed with rigour, objectivity and a sense of responsibility in filling out surveys formulated within the scope of the different dimensions of the UAlg evaluation process;
- d) Respect the confidentiality of data and information obtained, formally or informally, within the scope of their functions;
- e) Refrain from partiality in their professional conduct that may favour particular interests;
- f) Refrain from participating in professional activities or decision-making, namely participation in bodies, juries, committees and working groups, where there may be potential conflicts of interest arising from the institutional functions they perform;
- g) Maintain professional secrecy on all facts and information of which they are aware, when required.

Article 8.

Duties of students

In addition to the general duties as members of the academic community referred to in Article 6. and those imposed by general law, pertinent regulations, articles of association and codes of conduct of UAlg, the following are specific duties of students:

- a. To exhibit a posture based on the highest ethical standards, where intellectual honesty and moral integrity can constitute fundamental pillars of a solid human education and an excellent preparation for one's professional and civic future;
- b. Know the regulations in force at UAlg and respect the disciplinary rules, the functioning of services and the use and safety of spaces;
- c. Collaborate in the regular functioning of academic activities, contributing to the promotion of an appropriate environment for higher-level academic education;
- d. Proceed with rigour, objectivity and a sense of responsibility in filling out surveys formulated within the scope of the various dimensions of the UAlg evaluation process, including those aimed at improving the quality of teaching;
- e. Refrain from engaging in fraudulent practices, such as:
 - i. Obtaining in advance, evaluation tests, forms, questionnaires or other elements included in the assessment tests with the aim of obtaining benefit for oneself or for third parties;
 - ii. Using unauthorized elements when taking tests for the sake of one's own benefit or for the benefit of others;
 - iii. Copying someone else's work or allowing someone else to copy their work, receiving help from or helping another student with assessment tests;
 - iv. Acting as a substitute or being substituted by another in assessment tests;
 - v. Practicing plagiarism, i.e., using ideas, statements, data, images, paragraphs or complete text that are not of their own authorship, without adequate reference in the works, namely, of a literary, scientific or artistic nature;
 - vi. Present work, performed in conjunction with others, without such being permitted;
 - vii. Present as new and original a work already done and evaluated before;
 - viii. Falsify, voluntarily omit or interpret in a biased fashion data and results while carrying out work;
 - ix. Falsify signatures and/or information in official documents;
 - x. Commercialize, in whole or in part, academic work to the benefit of others, used or to be used in an evaluation process.

CHAPTER IV

On ethics in scientific research

Artigo 9.

Fundamental principles

1 — The scientific research activity carried out at UAlg requires special responsibilities towards the Institution, society and funding entities.

2 — As fundamental principles it must be understood that ethics in scientific research always implies respect for the dignity of humans and animals, for the progress and enhancement of knowledge, for the quality and originality of research, for scientific truth and for the freedom of research, respecting the values of intellectual honesty, authenticity, objectivity, respect for intellectual property, and methodological and experimental rigour.

Article 10.

General principles of good practices and ethical values

1 — It is the obligation of all researchers, regardless of their experience or qualifications, to maintain high standards of integrity, compatible with conduct that respects the following principles and attitudes:

- a. Ensure an ethical foundation in all research activities, always safeguarding essential values to preserve their credibility and quality;

- b. Ensure that all research is carried out in compliance with the rules and protocols for the safety of people and goods;
- c. Manage with transparency, fairness and parsimony the financial resources obtained from the financing entities, in order to ensure the project's success within the foreseen deadline;
- d. Properly guide the work of students in cycles of study leading to master's and doctoral degrees, as well as post-doctoral fellows and other researchers;
- e. Maintain appropriate records that permit verification of the research results;
- f. Ensure confidentiality, in order to protect intellectual property, whenever applicable;
- g. Ensure respect for copyright, properly referring to the sources used in the work;
- h. Ensure the correct inclusion of the names of authors and co-authors in publications, as well as the expression of due recognition of other contributors, when justified;
- i. Safeguard the principle of freedom of research.

2 — Below are situations that violate the researcher's integrity duties, and as such are subject to to the following sanctions:

- a. The practice of plagiarism;
- b. The appropriation of someone else's intellectual creations, protected by intellectual property rules, without legal consent;
- c. The fabrication of results or their falsification;
- d. The use of false curricular information;
- e. The presentation of the same work, in whole or in part, in later publications, without explicit mention of the original source and the replicated parts;
- f. The intentional distortion of results in order to privilege a given line of work or to satisfy interests outside the scientific truth;
- g. Participation in selection boards for recruitment and promotion in academic and professional careers or in the assessment of applications for funding where there are potential conflicts of interest.

Article 11.

Ethics in research on humans or animals

In addition to complying with the provisions of the previous articles, research on humans or animals must be scientifically justified, comply with scientific quality criteria and be carried out in accordance with the relevant obligations and professional standards, under the supervision of a duly qualified researcher or clinician.

Article 12.

Research on human beings

1 — The practice of research on human beings must respect the provisions of the International Declarations, as well as the legislation in force on the matter.

2 — Any research project involving human beings requires prior approval by the Ethics Committee.

3 — Those involved in research activities on human beings must observe the following standards:

- a. The interest and well-being of the human being must always prevail over the interest of science;
- b. Research on human beings should only be carried out if there is no alternative of comparable effectiveness, should not involve disproportionate risks and burdens in relation to the potential benefits and should prevent or minimize situations of discomfort and physical and psychological suffering of the subjects being researched;
- c. The carrying out of surveys, tests and experiments on human beings can only be conducted with informed consent, freely expressed, specific and documented, previously obtained by the participants and the institutions involved;

d. The confidentiality of personal data obtained during the research must always be maintained, and the data must be treated in accordance with the legal rules relating to the protection and security of individual data, image and privacy;

e. Adequate and proportional treatment of all information arising from the research and relevant to the health, current or future, or quality of life of the participants must be guaranteed;

f. Ensuring added safeguards when the research concerns groups that are more vulnerable, such as children, the elderly or people with disabilities;

g. The existence of insurance or protection mechanisms and adequate assistance against the risk of accidents or physical or psychological damage that may occur to the study participants, as a result of the research carried out, must be guaranteed.

4 — When a prior non-compliance is detected in research on humans this should be assessed and appropriate actions taken to prevent its occurrence, in order to ensure that research participants are protected.

5 — Ongoing or serious non-compliance must be reported to the national regulatory authorities, or equivalent competent authorities, in accordance with current legal regulations relating to the implementation of good practices in clinical trials.

6 — The suspension of a clinical trial may occur, namely, in the following circumstances: death of a participant; unacceptable change in duration; severity or frequency of adverse events, namely if the results of the study lead the EC (or competent authority) to question and reassess the risk-benefit ratio, or the non-compliance of the research procedures.

7 — Suspension should consider a review of all scientific information, as well as the safety and well-being of study participants.

8 — The opinion issued by the EC concerning a research project can be used in the submission of scientific publications carried out within the context of its development or dissemination, as well as being presented to relevant entities that require the opinion.

Article 13.

Animal research

1 — The scope of this article covers live non-human vertebrates and live cephalopods, not only created specifically for research, but that are used for this purpose, in accordance with the current legal framework.

2 — Research on animals for experimental and other scientific purposes must comply with the provisions of national legislation in force on the matter, as well as the principles and guidelines internationally established in International Declarations on the protection of animals used for scientific purposes.

3 — The practice of research on animals must be guided by respect for the various forms of life, and may only be conducted when there is a proportionality between obtaining general benefits for animal health or the environment and the safeguarding of the conditions necessary for the promotion of animal welfare.

4 — Those involved in research activities on animals must observe, in particular, the following principles:

a. Any UAlG research project, involving animals under its responsibility or in which animals participate, requires prior approval by the EC;

b. Animal testing can only take place in spaces licensed by the relevant authorities;

c. The execution of research projects and teaching activities involving animals must be previously authorized by the relevant national authority;

d. All people involved in animal experimentation must have adequate training, following the criteria established by the relevant authority and the corresponding legal accreditation granted by said authority;

e. When the training requirements referred to in the previous paragraph are not met, people must be accompanied during animal testing by those who have such accreditation;

- f. The animals shall not be subjected to conditions of unnecessary discomfort or suffering during transport to the laboratory and, whenever possible, during the experimentation process and after completion of the procedures;
- g. Respect the application of the 3 Rs: Replacement, Reduction and Refinement; replacing, whenever possible, live animals with alternative methods;
- h. Safeguard the maintenance of the integrity of natural biodiversity, limiting the use of endangered animal species to the minimum essential and, preferably, aiming to obtain real benefits for them;
- i. The coordinators of projects involving animal experimentation may request assessment of the projects by the EC, which shall issue an opinion that will accompany the process to be submitted to the relevant entity;
- j. The opinion issued by the EC may also be used in the submission of publications produced within the context of the development or dissemination of projects, as well as be presented to relevant entities that require it.

CHAPTER V

Final provisions

Article 14.

Guardianship and supervision

1 — The bodies of UAlg and its organizational units, without prejudice to the individual initiatives of the members of the Academic Community, are responsible for guarding the rights and duties provided for in this Code, and may ask the EC to request the opinions, reports and recommendations provided for in its internal by-laws, with a view to promoting ethical principles, values and good practices in the activity of the academic community.

2 — Any act, namely, abusive, opaque and disloyal, practiced within the scope of the duties provided for in this Code, for the direct or indirect benefit of the offender or offenders, shall be considered a violation of academic and professional integrity and shall be subject to sanctioning procedures by the relevant UAlg bodies, after the opinion of the EC.

26 January 2020.— The Rector, *Paulo Águas*.