

Code of Ethics and Guarantees

**Unibasq – Agency for Quality of the
Basque University System**

Approved by the Governing Board of Unibasq on 13 July 2016

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FOREWORD

The Agency for Quality of the Basque University System-Unibasq was created with the fundamental mission of contributing to the improvement in quality of the Basque University System (BUS), its object being the evaluation, accreditation and certification of quality in that field, considering Spanish, European and international frameworks.

As a quality agency, Unibasq must guarantee the objectivity and impartiality of its activities and, as a public entity, show its commitment to the environmental and socio-economic fields. To this aim, this Code of Ethics and Guarantees is approved, which defines the system of values and principles that must govern all the activities by Unibasq and by the persons who work for or provide services for the agency.

For the design and creation of this Code, the general application basic principles are incorporated in all the services of the civil service, as well as those more specific to the university service and to certification, accreditation and evaluation activity. The European approach of Unibasq is also shown in the writing of this Code of Ethics, since it has used for reference the values, principles and standards which can be found in the main international higher education agencies and institutions, especially the *Guidelines for Quality Assurance in the European Higher Education Area (ESG)*.

This Code designates the Ethics and Guarantees Committee of Unibasq as the body in charge of ensuring compliance. Any person who observes any non-compliance with this Code or a conflict of interest that might risk the objectivity or transparency of any activities will be able to submit a claim before the Committee.

Management, staff and the governing bodies of Unibasq are obliged to give the organisation an ethical and socially responsible character. To do so, they will ensure the compliance of the Code of Ethics and Guarantees, so all its activities adhere to the principles of the same in relation with the carrying out of all its functions.

TITLE ONE. GENERAL PROVISIONS.

Article 1. Object

The Code of Ethics and Guarantees of Unibasq is justified by the need for the Agency to be endowed with principles and rules that allow it to act internally according to criteria of trust and social responsibility. These principles should in turn serve to create a climate of shared values integrated in its working methods. The ultimate goal is to guarantee objectivity and transparency in the Agency's activities in the evaluation, accreditation and quality certification processes of the Basque University System.

Article 2. Scope of application

Unibasq has as its objective the evaluation, accreditation and certification of quality in the scope of the Basque university system, considering the Spanish, European and international frameworks. This Code of Ethics and Guarantees is an essential instrument for the achievement of this purpose and for the credibility of the activity of the agency itself. For this reason, it will apply to Unibasq's relationships with the higher education institutions of the Basque Country as well as with other institutions or interest groups with which it has a relationship.

This also applies to the person in charge of management, if applicable to the deputy person in charge of management and to the governing bodies of the Agency, the staff assigned to its different areas, the technical and evaluation bodies, as well as the persons who form them or who provide professional services to Unibasq.

Article 3. Dissemination of the Code and promotion of the ethical commitment

Unibasq is committed to train its staff and the people who collaborate with the Agency in the use and understanding of the values, principles and commitments of this Code, as well as to make them available. For this purpose, it will be publicised on the website of the agency and all staff and people that provide any services of certification, advice, accreditation or evaluation will be informed of it. All these persons will sign a statement confirming their adherence to the Code of Ethics and Guarantees in all its terms (Annex I).

Article 4. Approval and review of the Code of Ethics and Guarantees

It is the responsibility of the Governing Board to approve and amend the Agency's Code of Ethics and Guarantees in order to guarantee the objectivity and impartiality of its activities.

TITLE TWO. ETHICAL PRINCIPLES

Article 5. Defence of public interest, right to education and social responsibility

Unibasq intends that its initiatives contribute to satisfy the public interest of improving the quality of the Basque University System. All this within the framework of a democratic society based on respect for human rights, freedom, equality, free development of personality and, especially, the right to education.

Unibasq will take into account at all times the impact on society of the services it provides and respect for the environment. To this end, it will establish communication mechanisms with all stakeholders involved in improving the Basque university system, with which it will exchange information and opinions that will be taken into account in the processes of continuous improvement of the activities and services provided by Unibasq.

Article 6. Continuous improvement

Unibasq assumes the value of quality, service and culture of excellence and innovation in all its activities, through the continuous improvement of the services rendered and the adaptation of its activities to the common rules of international recognition.

The Agency obliges itself to undergo external evaluation and certification in order to achieve continuous improvement of its results and the trust of its users, society and the university community. Also to make a continuous effort with regard to innovation in the accomplishment of the activities that it carries out and the processes that it designs and applies, so that these improve in terms of efficiency and agility.

Article 7. Efficiency in the use of public resources

Management, the staff and all the bodies and people who collaborate with Unibasq are obliged to pursue efficiency in the use of the resources assigned to them.

Unibasq will manage its economic resources transparently, administering them with rationality, independence and efficiency, that is, using them in the best possible way for the Basque University System. This requirement shall apply both to the origin of such resources and to their responsible use.

Article 8. Environmental responsibility

Unibasq is sensitive to the ecological impact and environmental degradation that human activity causes. For this reason, it undertakes to pursue environmentally friendly management by committing to the following principles: i) Minimizing the negative environmental impacts of the activities it carries out; ii) The search for energy efficiency through the reduction of material consumption and proper management of the waste generated; and (iii) prevention of pollution by incorporating environmental criteria into the activities it carries out.

Article 9. User orientation

Unibasq will focus its attention and strategy on satisfying the needs and expectations of its users. Unibasq is committed to improving its services through personalized treatment and the provision of clear and simple information about the services it provides. The staff of the Agency, management bodies and evaluation committees will respect the needs of individuals and institutions, act responsibly, honestly and sincerely and will provide services with the utmost professionalism, impartiality and speed, communicating the results and decisions in a duly motivated manner to the people and institutions concerned.

Article 10. Independence

Unibasq will act with freedom and autonomy in the exercising of its obligations with the purpose of favouring the fulfilment of its mission and the professionalism and credibility of its activities. No person working in or for Unibasq will allow external pressures, influences or outside interventions to influence the rigour of its criteria, opinions and principles of action.

Article 11. Rigour and objectivity

Unibasq staff, the evaluators and collaborative staff will carry out their activities based solely on accuracy and technical rigour, without regard to previous value judgements, but only bearing in mind the objective merits and suitability for the required function. The people who collaborate with Unibasq take on board in their acts, assessments and opinions the norms and principles that are reflected in this Code.

Article 12. Impartiality and incompatibility causes

1. The Agency and the persons providing services for Unibasq shall endeavour by all means possible to be impartial in their judgements and, therefore, will not discriminate in any way. The members of the bodies of the Agency carry out their work on their behalf and with independent criteria and not as representatives of the group of which they are part. They will not attend anticipated judgements in favour

of or against persons involved in the processes related to the services that Unibasq provides, and will refrain from participating in any activities that might involve any conflict of interest that would allow their impartiality to be questioned.

2. In the case of requests for accreditation or evaluation carried out by natural persons, the following are incompatibility grounds for the carrying out of the same:

- a.- Belonging to the same department or university centre as the applicant.
- b.- Being related within the fourth degree of consanguinity or affinity within the second degree with the applicant.
- c.- Having participated in two or more research or innovation projects already expired with the applicant, or participating in one that is in force when the application is made or when it should be evaluated.
- d.- Having been director of the doctoral thesis of the applicant.
- e.- Having a pending dispute or having had one in the past with the applicant.
- f.- Having a personal interest in the matter in question or in another whose resolution might influence it.
- g.- Having intimate friendship or demonstrable enmity with the applicant.
- h.- Any other circumstance that could give rise to a conflict of interest that could disturb the objectivity and impartiality of the person who participates in the accreditation or evaluation.

3. In the case of requests for certification, accreditation or evaluation reports carried out by institutions (university centres, universities, etc.) the following are incompatibility grounds for the carrying out of the same:

- a.- Belonging to the same university to which the institution is attached or having provided professional services of any type for the applicant centre in the last two years.
- b.- Being related within the fourth degree of consanguinity or affinity within the second degree with those who represent the applicant's institution (the centre, the university, etc., depending on which institution makes the request).
- c.- Having a pending dispute or having had one in the past with the university to which the applicant's institution is attached, or with the persons who represent the applicant's institution (the centre, the university, etc., depending on which institution makes the request).

d.- Having personal interest in the matter in question or in another whose resolution might influence it.

E.- Having intimate friendship or demonstrable enmity with those who represent the applicant's institution (the centre, the university, etc., depending on which institution makes the request).

f.- Any other circumstance that could give rise to a conflict of interest that could disturb the objectivity and impartiality of the person who participates in the certification, accreditation or evaluation.

Article 13. Abstention and challenge

1. Whenever any of the grounds for incompatibility mentioned in the previous article concur, the person who participates in the certification, accreditation or evaluation of those proceedings must notify it to the Ethics and Guarantees Committee as soon as possible. If any of the grounds mentioned in letters a, b, c, d and e of Article 12.2, or in letters a, b and c of Article 12.3 concur, the Committee, after collating the assumption of the fact provided for therein, will automatically order the person to be removed from that process.

In the case of the grounds set out in letters f, g and h of Article 12.2, or of letters d, e and f of Article 12.3, the Ethics and Guarantees Committee shall study the circumstances of the case and decide whether or not the person is removed from the process on the basis of whether it considers that they have the sufficient entity to put at risk the objectivity and impartiality of their decision.

If the role assigned to the person withdrawn was the writing of the report of the application or was a member of a visiting panel of a certification or institutional accreditation, another person should be appointed to replace them. However, when he/she is a member of a committee which has to decide on the basis of reports drawn up by other persons on a number of proceedings including one in which there is a cause of abstention for which he/she has been withdrawn, he/she must leave the meeting when the other members of the Commission are about to deliberate and take a decision on the specific file in which a cause of abstention concurs. In the latter case, no substitute person shall be appointed, the other members of the Committee shall decide.

2. In cases in which a reason for incompatibility of those mentioned in Article 12 concurs but the Ethics and Guarantees Committee has not been asked for abstention, nor has it acted ex officio, the interested parties may request that the person in whom they understand the reason at any moment of the procedure may concur be challenged. The challenge will be presented in writing addressed to the Ethics and Guarantees Committee of Unibasq, and it will state the cause or causes on which it is based. The Committee shall transfer the same to the person challenged so that he/she may state whether or not the alleged cause or reason of incompatibility exists. If it is accepted, this person will automatically be withdrawn from the proceedings with the effects established in section 1 of this article. If he/she denies that the reason concurs, the Ethics and Guarantees Committee will decide after listening to the parties and analysing the possible evidence provided following the procedure established in Article 6 of the Regulation. If the challenge is approved, the consequences of its decision will also be those established in section 1 of this article.

Article 14. Transparency

Unibasq will communicate in advance and clearly the necessary information about the evaluation criteria and processes, procedures, forms and tools used in its evaluations and activities, and will not hide any information to which the users of its services are entitled.

Article 15. Confidentiality

Unibasq will establish the necessary mechanisms for the correct management of the personal data available to them, in accordance with the provisions of the current legislation. To this end, it will establish effective mechanisms to ensure the confidentiality of this data. Under no circumstances will the Agency provide information regarding the personal data provided by the persons evaluated, unless expressly authorized by the interested parties or through court order.

Article 16. Collaboration and team work

Teamwork, cooperation and the exchange of information and ideas activities between the evaluators and Unibasq staff will be considered necessary for the achievement of its objectives. To this end, meetings and information exchange activities deemed necessary or desirable to promote teamwork and exchange of experiences, ideas and suggestions shall be carried out. Also, the maintenance of a stimulating and respectful work environment in which sufficient opportunities for personal and professional development are provided shall be promoted.

Article 17. Respect for the autonomy and specificity of the universities and collaboration with them

The activities of Unibasq will be governed by respect for the autonomy and diversity of the Basque universities. They will seek collaboration and communication among them and with them.

The exchange of good practices and tools for analysis, evaluation, accreditation and certification will be considered essential for the efficient implementation and continuous improvement of the Agency's activities. To this end, Unibasq will encourage the active participation of the agents of the Basque University System when defining the Unibasq strategies and the integration into them of the new scenarios and demands that arise.

TITLE THREE. ETHICS AND GUARANTEES COMMITTEE

Article 18. Competences of the Committee

The Ethics and Guarantees Committee is the body responsible for ensuring compliance with the Code. Specifically, its duty is:

- 1) To supervise the correct implementation, interpretation and application of the Code.
- 2) To evaluate and decide on communications regarding the duty of abstention or requests for challenge that may be submitted to it under Article 13 of this Code.
- 3) To conduct periodic reviews of the implementation of both the Code and the Regulation, if necessary, and transfer those results to the Governing Board.
- 4) To decide on appeals against certification and accreditation decisions, or evaluation reports issued by Unibasq that are based on a formal defect that damages any guarantees established in favour of the person or institution evaluated, or in the lack of impartiality of any person who has intervened in the process. If the resolution considers the appeal, the consequence will be the declaration of nullity of the decision and the repetition of the appealed certification, accreditation or evaluation report. The procedure and the grounds for bringing this appeal are established in Article 6 of the Regulations of the Ethics and Guarantees Committee referred to in Article 21 of this Code.
- 5) To report on the claims submitted for breach of the Code that are based on any other reason than the one specified in the previous paragraph. The procedure for bringing such claims is established in Article 7 of the Regulations of the Ethics and Guarantees Committee referred to in Article 21 of this Code.

Article 19. Composition of the Ethics and Guarantees Committee

This Committee will be formed by:

- a.-) The Director of the Agency or person to whom he/she delegates.
- b.-) One representative of the staff of the Agency, elected from among its members.
- c.-) A person who is a member of the Advisory Committee of Unibasq, elected from among its members.
- d.-) An expert in ethics appointed by the Governing Board of Unibasq, at the proposal of any of its members.
- e.-) One student outside the Basque University System, to be appointed by the Learners Advisory Committee of Unibasq.

The members of the Committee shall be appointed for a period of three years, renewable only once for an identical period. They may not be reappointed until three years have elapsed after they left the Committee.

Article 20. Operating principles

The members of the Committee shall have as general reference the ethical principles defined in this Code. When dealing with claims for non-compliance with the Code, the principles that will be specifically considered will be those of objectivity, impartiality, independence, confidentiality, contradiction, respect for the people affected and reasonable speed.

Article 21. Regulation

The functioning of this body will be specified in an internal regulation that will be approved by the Committee itself and which must be ratified before its publication and entry into force by the Governing Board of the Agency. Any amendments thereto approved by the Committee should also be ratified by the Board and subsequently published on the Unibasq website.

Annex I

ACCEPTANCE OF THE CODE OF ETHICS AND GUARANTEES AND DECLARATION OF CONFIDENTIALITY, IMPARTIALITY AND LACK OF CONFLICT OF INTERESTS

The undersigned person declares that he/she has read and understood the Code of Ethics and Guarantees of Unibasq and, consequently,

DECLARES:

- That he/she accepts and will interpret it in good faith and will ensure that it has been respected.
- That he/she will abstain from participating in the evaluation of any proposal that could generate conflicts of academic or personal interests, or in those in which he/she might be directly or indirectly related to any of the applications being evaluated. Specifically:

In the case of requests for accreditation or evaluation carried out by natural persons, the following are incompatibility grounds for the carrying out of the same:

- a.- Belonging to the same department or university centre as the applicant.
- b.- Being related within the fourth degree of consanguinity or affinity within the second degree with the applicant.
- c.- Having participated in two or more research or innovation projects already expired with the applicant, or participating in one that is in force when the application is made or when it should be evaluated.
- d.- Having been director of the doctoral thesis of the applicant.
- e.- Having a pending dispute or having had one in the past with the applicant.
- f.- Having a personal interest in the matter in question or in another whose resolution might influence it.
- g.- Having intimate friendship or demonstrable enmity with the applicant.
- h.- Any other circumstance that could give rise to a conflict of interest that could disturb the objectivity and impartiality of the person who participates in the accreditation or evaluation.

In the case of requests for certification, accreditation or evaluations carried out by institutions (university centres, universities, etc.) the following are incompatibility grounds to carry out the same:

- a.- Belonging to the same university to which the institution is attached or having provided professional services of any type for the applicant centre in the last two years.

b.- Being related within the fourth degree of consanguinity or affinity within the second degree with those who represent the applicant's institution (the centre, the university, etc., depending on which institution makes the request).

c.- Having a pending dispute or having had one in the past with the university to which the applicant's institution is attached, or with the persons who represent the applicant's institution (the centre, the university, etc., depending on which institution makes the request).

d.- Having personal interest in the matter in question or in another whose resolution might influence it.

e.- Having intimate friendship or demonstrable enmity with those who represent the applicant's institution (the centre, the university, etc., depending on which institution makes the request).

f.- Any other circumstance that could give rise to a conflict of interest that could disturb the objectivity and impartiality of the person who participates in the certification, accreditation or evaluation.

- That he/she undertakes to inform Unibasq immediately, as soon as he/she becomes aware of any direct or indirect conflict of interest, with the proposals or curricula that he/she had to evaluate, or that are discussed at any meetings in which he/she is present .
- That he/she will not disclose any information about the evaluation process or its results.
- That in the event that the evaluation is carried out outside Unibasq's premises, he/she assumes that he/she will be personally responsible for maintaining the confidentiality of any written or electronic documentation sent to him/her and that, after completing the evaluation, he/she will destroy or erase all confidential documentation unless he/she is told otherwise by Unibasq.

Place and date

Signature

Name and surnames