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Preamble

Mozarteum University sees itself as an artistic, pedagogical and scholarly place of education, production and research as well as a place of encounter, creation, development and discourse of ideas and concepts. Here, people of different world views, cultures and interests enter into dialogue with each other, research, teach and work together. In doing so, they serve scholarly research and teaching, the development and advancement of the arts, as well as the teaching of the arts, thereby also contributing responsibly to the solution of human problems, as well as to the prosperous development of society and the natural environment.

To implement this social responsibility and the concomitant function as a role model in the best possible way, Mozarteum University wishes to ensure a working environment based on certain values.

Thus, the actions of the employees of the Mozarteum University are subject not only to statutory provisions and regulations issued by the University itself, but they must also adhere to this Code of Conduct with the aim to further the University's anti-violence plan.

This Code of Conduct, which establishes a binding framework for the actions of the employees of Mozarteum University, is also intended to ensure legally compliant, professional and ethical conduct, and thereby to help promote the implementation of the guiding principles of Mozarteum University under § 2 of the Austrian University Act.

Members of Mozarteum University and external personnel who work in teaching, research, developing and advancement of the arts (EEK) (hereafter referred to as „external personnel“) are expected to know the applicable regulations and guidelines and must take on personal responsibility.

New employees will be familiarised with the Code of Conduct during the onboarding process.



Content

§ 1	Responsibility	7
§ 2	General Principles of Conduct	7
§ 3	Appreciation and Culture of Dialogue	7
§ 4	Diversity	8
§ 5	Interpersonal Relations and Power Structures	9
§ 6	Harassment at Work – Bullying	10
§ 7	Sexual/Gender-based Harassment and Sexualised Violence	10
§ 8	Good Scholarly and Research Practice and Correct Execution of Teaching and Examination Activities	17
§ 9	Intellectual Property Law – Copyright	17
§ 10	Conflicts of Interest	20
§ 11	Confidentiality and Data Protection	21
§ 12	Corruption/Bribery/Acceptance of Gifts	22
§ 13	Finances	22
§ 14	Dealing with Donations and Sponsorship	25
§ 15	Use of Natural Resources	26
§ 16	Use of the Resources of Mozarteum University Salzburg	26
§ 17	Confidentiality and Data Protection	27
§ 18	External Communication/Media Contacts/Social Media	27
§ 19	Ambiguities and Infringements	28
§ 20	Entry Into Force	28
	Imprint	32





§ 1 Responsibility

Each individual member of Mozarteum University and each external party is personally responsible for compliance with and implementation of the Code of Conduct.

Employees and external parties with management responsibility must be role models in the implementation of the Code of Conduct. They must instruct and train their employees in its use and monitor compliance. The Rectorate will ensure that appropriate further education, training and staff development measures are offered.

In the event of ambiguities in and breaches of the Code, further action must proceed in accordance with § 19.

§ 2 General Principles of Conduct

All members of Mozarteum University and external parties must fulfil their assigned areas of responsibility and competence with commitment, integrity and loyalty. Their behaviour must be characterised, in particular, by sincerity, fairness, appreciation and respect in their dealings with each other.

All members of Mozarteum University and external parties must carry out their tasks in agreement with the principles of sustainability, economic efficiency, expediency, economy and transparency.

Mozarteum University is expressly committed to the principles of anti-discrimination and equal treatment. These provide for equal treatment of all persons, regardless of their gender, socio-economic origin, age, ethnicity, sexual orientation, religion or belief, as well as in the case of disability.

§ 3 Appreciation and Culture of Dialogue

University teaching and research includes people of different world views, interests and objectives; this results in the need to develop a distinctive culture of dialogue and conflict resolution.

Appreciative interaction with each other requires continuous respect for the integrity, values and subject cultures/traditions of others and toleration for differing points of view.

Appropriate manners and an appreciative, respectful culture of dialogue must be practised in all daily interactions. Sound, image and video recordings without the prior consent of the person(s) being recorded are unlawful and unacceptable, except for recordings carried out for the purpose of minuting meetings. This applies to all areas of activity and groups of people. Appropriate personal distances must be maintained at all times. Personal contact between teachers and students, especially in teaching situations, must be determined consensually, with special consideration being given to cultural and linguistic factors. Physical touching may only be carried out in a justified, relevant and mutually agreed manner, which must be determined in advance.

In terms of written language, an appreciative culture of dialogue must be reflected in the use of gender- and diversity-sensitive language in all written documents.

Cultural differences must be taken into account – as far as possible – in connection with the fulfilment of tasks at Mozarteum University.

§ 4 Diversity

Mozarteum University is committed to diversity, a multiplicity of perspectives and equal opportunity and pursues its diversity strategy accordingly.

At Mozarteum University, people from all over the world, with different gender identities, sexual orientations, religions or world views and socio-economic backgrounds, of different ages and with different prerequisites work, study, teach and carry out research. Mozarteum University appreciates, integrates and promotes their different abilities, talents and competences, wherever possible.

This unique diversity enriches university life and work at all levels. It also serves as a source of inspiration for creative work, research, teaching, study and work.

Mozarteum University therefore creates working and study conditions, in which everyone can develop their individual abilities.

§ 5 Interpersonal Relations and Power Structures

The exploitation of power relations and dependency structures must be actively counteracted in all work, study and cooperative contexts.

Employees and external parties with management responsibility at Mozarteum University must ensure a good working atmosphere and thus the best possible conditions for working at Mozarteum University; they can accomplish this by treating everyone in an objective and fair manner.

They must support their employees, make clear and ambitious – although realistic – agreements with them, and carry out regular staff appraisals.

Employees and external parties with management responsibility at Mozarteum University are entitled to loyal conduct and the optimal performance of tasks by the employees and external parties assigned to them. Their specifications, guidelines and instructions must be complied with within the framework of the applicable legal provisions. They must themselves be aware that they function as a role model for the employees and external parties assigned to them and must regularly participate in further training in leadership and management skills.

Employees and external parties must respect the interests of Mozarteum University and, in particular, must refrain from doing anything that could damage the reputation of Mozarteum University.

As part of the duty to assist and the duty to report, employees and external parties must warn of any impending damage and must contribute to its elimination.

All employees and external parties are entitled to loyal behaviour and the best possible support from their superiors. This also includes assistance in problem situations. Moreover, the conditions necessary for an appropriate working environment must be created by the managers. In particular, the compatibility of private life, family and work has a high priority in the self-image of Mozarteum University as a family-friendly employer.

With regard to the relationship between staff or external parties and students, care must be taken to ensure an appreciative atmosphere that is conducive to a professional working relationship in connection with university education, research and develop-

ment and the advancement of the arts. Especially in training and study situations, power relations and dependency structures must not be exploited. The promotion of young artistic, pedagogical and scholarly talent is a central goal of staff and external parties. A transparent, appreciative culture of communication according to the applicable anti-violence plan of Mozarteum University forms the basis of this working relationship.

University teaching shall, as a matter of principle, take place on the premises of the University. In particular, students must not be required by tutors to receive their lessons on tutors' private premises.

§ 6 Harassment at Work – Bullying

Mozarteum University will not tolerate any form of harassment in the workplace. This includes insults as well as any patterns of behaviour that are usually summarised under the term “bullying” (any form of behaviour that damages reputation, e.g., ridiculing, bullying, systematic refusal of contact, etc.).

In the event that members of Mozarteum University and external parties feel affected by such harassment or observe such behaviour, including between employees or external parties and students, action shall be taken in accordance with § 19.

Mozarteum University takes all complaints of harassment or bullying seriously, investigates them thoroughly and will then take appropriate action. In the event of an incident, the anti-violence plan of Mozarteum University can be used as a guideline for possible action.

§ 7 Sexual/Gender-based Harassment and Sexualised Violence

No form of sexual and/or gender-based harassment will be tolerated at Mozarteum University.

The policy of the Rectorates of the University of Salzburg (PLUS) and Mozarteum University on combatting all discrimination on the grounds of gender, in particular through sexual and/or



Was ist
Intimität
für dich

Was ist
Zuhause
für dich?

Schreibe es auf eines der ausgelegten Papiere und hänge es mit einer Klammer an die Wand.
Danke!

Zweiige Plakate sind für einen maximalen Kontrast zwischen den beiden
Seiten.

gender-related harassment or by means of criminal acts against sexual integrity and self-determination, applies.

Sexual harassment and sexualised violence can occur in non-verbal, verbal and/or physical ways and through a variety of behaviours or actions. Only the person concerned has the right to name sexual harassment as such and to define whether behaviour is unwanted, exceeds boundaries or is sexually harassing.

Sexual harassment and/or gender-based harassment and sexualised violence (including in the digital space) include, in particular, behaviour and actions, such as:

- sexually derogatory language, especially sexist remarks or sexist jokes
- degrading and depersonalising remarks about persons and/or their bodies, their (sexual) relationships, their sexual orientation and/or gender identity and/or presentation
- unwanted invitations and requests for physical advances and/or sexual acts
- telephone calls, letters, emails containing sexual innuendos
- the unwanted creation, dissemination and/or display of sexualised or sexually degrading illustrations and/or pornographic images or texts (in all electronic formats, emails, text messages or social media)
- obscene gestures, intrusive and sexist staring, especially at intimate areas of the body
- solicitation of sexualised or sexual behaviour
- persecution and coercion with a sexual background
- stalking, following and/or surveillance, stalking by persistently seeking physical proximity or by persistently making unwanted (attempts at) contact, including misuse of personal data outside the scope of official support duties
- seemingly accidental and/or unwanted touching and crossing of interpersonal distance
- exhibitionist acts
- physical, sexualised or sexual assault
- forced sexual relations, coercion or rape.

All employees of Mozarteum University and external personnel, especially those with management responsibility, must strive to create a culture of responsibility that neither condones (active) perpetration nor (passive) bystanderism; this aims to jointly eliminate all forms of sexual and gender-based harassing behaviour.

Special attention must be paid to relationships involving instruction and dependency between individuals; in this context, threats of personal and professional disadvantage or promises of advantage or holding out the prospect of advantage are considered to be particularly grave.

The Charter of Fundamental Rights of the European Union provides for freedom of art and science in Article 13; the Basic Law of the State on the General Rights of Citizens provides for freedom of science and its teaching in Article 17, as well as for freedom of artistic creation, communication of art and its teaching in Article 17a. However, art and science are not created in spaces without interpersonal boundaries. In all forms of teaching, it is important to develop an awareness of borderline situations and different perceptions of boundaries and to cultivate respectful interactions with students. It is the responsibility of the teacher to take the existing relationship of dependency into account at all times.

At Mozarteum University, any sexual harassment and/or gender-based harassment will entail consequences under contractual or employment law as well as criminal charges.

The University reserves the right to take action against any persons who fail to provide assistance, even if it is reasonable for them not to do so.

Persons who insist on compliance with the Code of Conduct must not be made to suffer any personal or professional disadvantage as a result. Every individual case will be taken seriously, investigated and, if necessary, the situation will be remedied in some way.

§ 8 Good Scholarly and Research Practice and Correct Execution of Teaching and Examination Activities

Considering in particular that Mozarteum University is a place of free scholarly research, teaching and development of the arts (Art 81c B-Austrian Federal Constitutional Act), the basic principles and guidelines of scholarly work must be observed. This applies equally to both artistic-scholarly research and purely artistic research and aims to rule out plagiarism, deception and/or the falsification of research results. Any actions likely to lead to a reduction of the research integrity of Mozarteum University must be refrained from.

Teaching staff are important role models in this regard. They must support and guide students and young researchers in science and art in the best possible manner, so that those can build up and internalise a corresponding basic attitude. The preservation of scholarly integrity is intrinsic to the identity of the University; the same applies to artistic-scholarly and artistic research and design.

Teaching staff are committed to supporting and encouraging students and to providing them with the best possible support in building qualifications and skills. They are also committed to carrying out all teaching and examination activities correctly.

The labelling requirement for assistive devices also applies to the use of AI. The extent of the intellectual contribution must be clearly comprehensible. Any marked-up adoption of an AI-generated text is only formally possible by using correct citations and source references. In the context of teaching, examinations must be assessed by teaching staff, while copyright law also protects against the further processing of examination results with AI.

§ 9 Intellectual Property Law – Copyright

Employees of Mozarteum University and external personnel must ensure that they do not commit infringements of intellectual property belonging to others. This also applies in particular to the intellectual property of students.

In particular, employees and external personnel must ensure that the commercial property rights of Mozarteum University and third-party commercial property rights made available to Mozarteum University are not infringed.





§ 10 Conflicts of Interest

Employees of Mozarteum University and external personnel must disclose all actual or potential conflicts of interest immediately and without any request to do so, in writing to the relevant superior. This also applies even if there might be just the appearance of a conflict of interest.

Conflicts of interest may arise, in particular, in connection with the following factors:

- Employees must strictly follow the regulations on their obligation to report and/or refrain from secondary employment.
- Employees of Mozarteum University and external personnel must avoid all conflicts of interest caused by close personal relationships (in particular any bias in accordance with § 7 General Administrative Procedure Act 1991); where such conflicts exist nevertheless, they must be disclosed in writing. This applies in particular to professorship appointment and certification procedures, application procedures and appointments to other kinds of positions, study admissions, scholarship awards, evaluations, teaching assignments and contracts for work.
- Employees of Mozarteum University and external personnel are not permitted to provide any paid services connected with their teaching activities to those students who are registered in the corresponding area of study at Mozarteum University.
- In addition, in the case of legal transactions concluded in the course of work for or on behalf of Mozarteum University, any actual or potential conflicts of interest (in particular “self-dealing”) must be reported, immediately and without any request to do so, in writing to the relevant superior (see also par. 1).
- When concluding such legal transactions, the “arm’s length” principle applies. The arm’s length principle applies whenever operational relationships stand in a reasonable relationship and a contract would be entered into with the third party under comparable conditions.
- In the case of procurement activities, it must be documented and checked whether conflicts of interest in the above sense exist. If any can be identified, concluding the legal transaction is only permissible if it can be proven that the transaction is customary in the above sense.

- In principle, a strict separation between private and university interests must be ensured. An individual employee and an individual external person must not only follow the rules expressly mentioned above but must also be guided by the basic ethical and moral understanding of this Code of Conduct.

§ 11 Confidentiality and Data Protection

Working at Mozarteum University requires the responsible handling of confidential information of any kind obtained during professional activities as well as outside one’s own specific field of activity.

This includes in particular that all data and information are to be treated with special care and sensitivity even if they are not expressly marked as confidential. When passing on information and data externally or internally within the University, the legal framework of data protection must be followed.

A breach of data secrecy may also constitute a criminal offence, in addition to any consequences under employment or service law.

Employees of Mozarteum University and external personnel must ensure that confidential information is kept secure and protected from inspection or access by unauthorised persons.

All third parties commissioned by Mozarteum University shall be bound to secrecy by means of a written declaration.

Members of Mozarteum University and external personnel shall refrain from all forms of behaviour that may damage its reputation.

As public officials, all employees of Mozarteum University are obliged to maintain secrecy about all facts that become known to them exclusively as a result of their official activities, if their disclosure or publication would violate a public or justified private interest.

§ 12 Corruption/Bribery/Acceptance of Gifts

Mozarteum University rejects any form of bribery and corruption. This also applies even if transactions might appear to have been concluded for the purpose of granting concessions or advantages.

All staff members of Mozarteum University are office bearers in the sense of § 74 Abs. 1 Z 4a Austrian Criminal Code and are thus subject to the criminal law on corruption.

In particular, it is not permitted to demand or accept services, private trips or invitations, gifts or similar from external business partners that influence or could influence personal conduct with regard to any activities carried out on behalf of Mozarteum University. This also applies to direct or indirect offers of such benefits by other employees of Mozarteum University.

According to the criminal law on corruption, the acceptance of gifts is a criminal offence and, to this effect, all gifts must be refused or returned. The relevant supervisor or line manager must be informed of any such incidents.

For hospitality and representation expenses, the requirements contained in the procurement guidelines of Mozarteum University shall apply.

§ 13 Finances

All employees of Mozarteum University and external personnel shall perform their duties in accordance with the principles of economic efficiency, economy, expediency and transparency in regard to the public interest; in particular, processes related to finances shall always be carried out in full and correctly and documented in a clear and comprehensible manner. Special attention must be paid to avoiding and/or minimising financial risk.

Cost awareness and responsible financial management are indispensable in the handling of resources at Mozarteum University.

All areas of competency and associated signatory powers must be defined in a comprehensible and transparent manner. Authorised signatories and external personnel must be aware of the responsibility and consequences of signing documents (especially those with external effects).





§ 14 Dealing with Donations and Sponsorship

To preserve the integrity and reputation of Mozarteum University, the University adheres to the following principles when dealing with donations and sponsorship:

1. Freedom of science, research, art and teaching shall be guaranteed, so that independence from financial interests must always be ensured.
2. All funds made available must be used responsibly, sustainably, effectively and appropriately, in accordance with a transparent procedure.
3. Legitimate wishes of patrons of Mozarteum University, e.g., the substantial orientation of the funding purpose, must be taken into account. This shall not affect freedom of teaching, research or the development and advancement of the arts in the sense of the following statements.
4. For reasons of transparency, a completely anonymous donation, in which, for example, only one trustee in relation to Mozarteum University acts on behalf of a donor will not be accepted.
5. Earmarked donations must be used exclusively for the purpose agreed. If the original purpose of the donation changes or ceases to apply, Mozarteum University will inform the donor accordingly and concurrently provide information about the alternative purpose for which the donation is to be used.

Mozarteum University rejects any donation or sponsorship, especially in those cases in which their acceptance would:

1. Impair the freedom of research, teaching or the development and advancement of the arts as well as teaching of the arts.
2. Create even any impression that any political, ideological or economic interests of the donor would be pursued.
3. Trigger procurement decisions or sales volumes in favour of the donors or other conflicts of interest.
4. Impair or damage the reputation and integrity of Mozarteum University.
5. Potentially result in a reduction of the assets of Mozarteum University, especially due to high follow-up costs of a grant.
6. Be subject to conditions unacceptable to Mozarteum University.

§ 15 Use of Natural Resources

Mozarteum University is committed to the responsible and sustainable use of natural resources. As a public educational institution, the University is aware of its exemplary role and its scope for action and takes concrete steps to reduce the negative environmental impacts of the University's activities.

Central objectives such as internationalisation and digitalisation must be examined for the resources necessary and any possible negative effects on sustainability, such as CO2 emissions. Where necessary, they must be adapted or configured positively in their dimensions and characteristics.

The United Nations' Sustainable Development Goals (SDGs), which aim to achieve fair coexistence and better living and working conditions, serve as an orientational framework for sustainable action.

Members of Mozarteum University and external personnel shall, through responsible behaviour, act in this spirit and make an active contribution to environmental protection, resource and energy conservation, and a healthy working environment.

§ 16 Use of the Resources of Mozarteum University Salzburg

The resources provided by Mozarteum University [premises incl. equipment, instruments, hardware and software, telephony, databases, networks, etc.] are reserved for official use. Members of Mozarteum University and external personnel must use these diligently, responsibly and economically.

Occasional and minor private use of certain ICT (information and communication technology) facilities is accepted, provided it does not interfere with the ordinary operation of the service and is not for personal business purposes or misuse (e.g. retrieval, storage and transmission of offensive, discriminatory, racist or sexist content).

§ 17 Confidentiality and Data Protection

At Mozarteum University, occupational health and safety is of particular importance.

Mozarteum University attaches great importance to a safe and healthy working environment and strives to promote the physical and mental well-being of all members of Mozarteum University and external personnel.

To pursue the goals of prevention in occupational health and safety and, in turn, to avoid illnesses and injuries, all members of Mozarteum University as well as all external personnel are expected to comply with safety regulations (e.g. workshop regulations, fire protection regulations). All are expected to maintain awareness of possible dangers, and to apply caution in all safety-relevant activities.

The abuse of drugs, medication, alcohol or other legal or illegal intoxicants or narcotics is prohibited during working hours and, generally, on the premises and grounds of the University.

§ 18 External Communication/Media Contacts/Social Media

Truthful reporting in all internal and external communications is the foundation of all constructive cooperation based on trust.

External representation of Mozarteum University through oral or written communication must be carried out by the responsible member of the Rectorate or through delegation by the responsible member of the Rectorate.

Private expressions of opinion towards media representatives or in social networks about Mozarteum University must always be clearly communicated as private expressions of opinion, according to §§ 10, 11, 12.

§ 19 Ambiguities and Infringements

In the event of questions, ambiguities, suspected or direct violations of this Code of Conduct, all employees and students may contact their direct superiors as well as compliance officers, the working group for equal treatment issues or members of the Rectorate for any advice and appropriate decision-making support. Students may also contact their teachers and the staff of the Austrian Student Union and university student representatives. Student representatives and tutors can also help if necessary.

External personnel may contact the Compliance Officers.

Persons who, in good faith, report suspected violations, whether or not these are substantiated, to their respective supervisor or to in-house or external outreach or counselling services shall not suffer any detriment as a result of such reporting; this shall not apply to deliberate misreporting, however.

The Rectorate supports all affected parties.

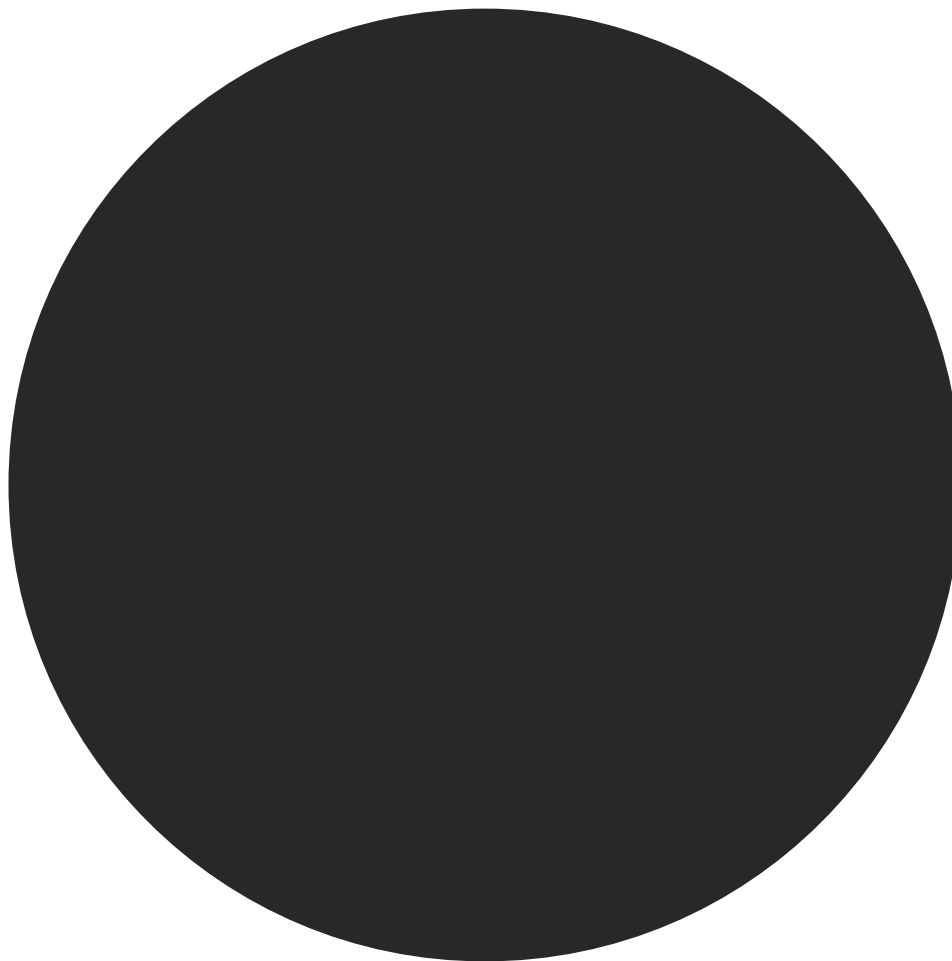
In doubtful cases, questions regarding this Code of Conduct can be directed to the Compliance Officer (e-mail: compliance@moz.ac.at).

§ 20 Entry Into Force

This Code of Conduct shall enter into force on the day following its publication.







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