



Valencian  
Foundation  
for Excellence  
in Research

## CODE OF ETHICS AND CONDUCT

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## 1. INTRODUCTION

The Valencian Community Foundation for Research Excellence (ValER), is a foundation integrated in the instrumental public sector of the Generalitat, in accordance with the provisions of Article 157 of Law 1/2015, of 6 February, of the Generalitat, on public finances, the instrumental public sector and subsidies.

ValER's general interest, non-profit purpose is to contribute to the promotion and development of scientific, humanistic, and technological research and knowledge for the benefit of society, universities, research centres and the scientific community in general, based on criteria of excellence, quality and competitiveness, facilitating the progressive consolidation of the group of research and scientific personnel rooted in the Valencian Community. In this sense, the ValER Foundation may participate in the promotion of research lines in universities, public or private research centres or institutes and establish collaborations with national and foreign institutions and organisations.

The ValER Foundation considers it necessary to approve a **Code of Ethics and Conduct**, as one of the measures to try to reduce the appearance of internal and external fraud linked to the activity carried out by the entity.

One of the **objectives** of this Code is to install within the Foundation a culture that discourages fraudulent management activity, promotes responsible, ethical, and transparent conduct with an absence of inappropriate deviations, as well as detailed control over the use of funds.

ValER's Code of Ethics is the basic reference document that governs the operation of all personnel working for the entity, whether internal or external, who will collaborate to ensure that there is an adequate internal control system within their respective areas of responsibility and to guarantee, where appropriate, due diligence in the implementation of corrective measures.

By means of this Code, **ValER guarantees ethical and responsible behaviour** in the development of its activity, even beyond the obligatory compliance with the Law. For this reason, the Foundation gives priority importance to compliance with this Code, with no exceptions to it.

All persons working or acting on behalf of ValER must be aware of and undertake to respect and enforce the rules and contents of this document.

Failure to comply with the provisions of the Code may result in disciplinary sanctions in accordance with the legislation applicable to public employees or labour law, where applicable, as well as other sanctions that may be applicable.

## 2. PRINCIPLES AND VALUES

### MISSION

ValER's mission is to strengthen scientific excellence in the Valencian Region through programmes for the incorporation and consolidation of excellent research personnel and the promotion of research, in cooperation with research centres and public universities.

### VISION

The ValER Foundation is projected as a dynamic entity of the science system of the Valencian Community, whose activity will boost the research community and increase its results in attracting national and international competitive funds, high impact scientific publications, as well as its transfer to the productive fabric through the generation of patents and the creation of spin-offs, causing a direct impact on the Valencian economy.

### VALUES

ValER's guiding principles are:

- **Efficiency:** we are committed to achieving and exceeding the results we have set ourselves, using the resources we have at our disposal in an optimal way.
- **Accountability:** society must have transparent access to the deployment of our strategy and the results achieved.
- **Cooperation:** we are an extended organization, which cooperates closely with its stakeholders and works as a team.
- **Commitment:** we dedicate, proactively and with enthusiasm, all the working capacity of the organization to the fulfilment of our objectives.
- **Fairness:** we value the merit and ability of each person, and work to ensure equal opportunities and conditions in all the organization's activities.
- **Respect:** we treat with consideration and care the people and institutions we interact with.

### 3. SCOPE OF APPLICATION

The values and general principles of conduct contained in this Code are applicable to all staff, both internal and external to the Foundation, who interact with it, as a further measure to reduce both the appearance of risk in the management of ValER funds and internal and external fraud linked to the activity carried out in the Foundation.

In addition, the person in charge of the management of ValER has a Senior Management contract which implies adherence to the Code of Good Governance of the Generalitat Valenciana approved by the Consell on 6 May 2016 (DECREE 56/2016, Department of Transparency, Social Responsibility, Participation and Cooperation) which includes the rules of conduct to be observed in their public actions by the persons included in its scope of application, in order to promote the development of public institutions and administrations with integrity, transparency, effectiveness and efficiency.

### 4. ETHICAL AND CONDUCT PRINCIPLES

The **principles** on which this Code of Ethics and Conduct is based are as follows:

- Compliance with applicable legislation.
- Appropriate use of public resources, in accordance with approved programming.
- Integrity, professionalism, and honesty in management.
- Transparency and good use of information.
- Impartial and non-discriminatory treatment of beneficiaries, aid managers.
- Safeguarding the reputation of the Foundation.

### 5. CODE OF ETHICS AND CONDUCT

All personnel providing services for ValER must comply with the following:

1. He/she shall carry out his/her duties with objectivity, independence and professional rigor.
2. He or she shall maintain strict confidentiality regarding information to which he or she has access in the performance of his or her duties.
3. You may not use or disclose to third parties without the prior consent of the Foundation any facts, information, or documents to which you have access in the performance of your duties, even after the termination of your relationship with ValER.
4. It may not, without the prior approval of the Foundation, assign the performance of part of its obligations to third parties.
  - Have a personal interest in the case in question or in another case whose outcome may be influenced by the outcome of that case; be a director of the company or entity concerned or have a litigation matter pending with any interested party.
  - To have a marital relationship or similar de facto situation and a blood relationship within the fourth degree or affinity within the second degree with any of the interested parties, with the administrators of the entities or companies concerned and with the advisors, legal representatives or agents involved in the procedure, as well as sharing a professional office

or being associated with them for the purpose of advice, representation, or mandate.

- Having a close friendship or manifest enmity with any of the persons mentioned in the previous section.
- Have acted as an expert or witness in the proceedings in question.
- Have a service relationship with a natural or legal person directly interested in the matter or have provided professional services of any kind and in any circumstance or place in the last two years.
- It shall immediately inform ValER of the occurrence of any direct or indirect conflict of interest.
- It shall refrain from speaking on behalf of ValER, unless expressly authorized to do so.
- It will accept the resolution of the Foundation, in the event of non-compliance with any of the mandates of this Code of Ethics, and may give rise, depending on the seriousness, to:
  - Confidential warning
  - Termination of the relationship with ValER
  - Complaint to the competent authority

## 6. CODE ENFORCEMENT

To ensure the correct communication, application and interpretation of the Code to all employees and persons who for any reason should be subject to its rules, the head of ValER Management will be assisted by the Undersecretary of the Regional Ministry with responsibility for science policy, who will take the appropriate measures to control and monitor the Code. The Management will periodically inform the higher bodies and management centres about the monitoring and application of the rules by the staff providing services to ValER.

## 7. DISSEMINATION

In order to ensure the effectiveness of this Code of Ethics and Conduct, it will be widely disseminated to all Foundation staff.

Without prejudice to the above, it will also be disseminated through the website [www.valer-f.es](http://www.valer-f.es) and through other channels deemed appropriate, as well as to the managing bodies, contract awardees, entities benefiting from aid or any other subject that interacts with ValER.

The content of this document will be periodically reviewed and updated by ValER, making any changes or adaptations deemed appropriate.

## 8. ACTIONS RELATING TO GIFT AND HOSPITALITY POLICIES

The purpose of this Policy is to comply with the legislation in force at any given time, the recommendations of the public authorities, social responsibility and good administrative practice in order to regulate the criteria applicable to the treatment of gifts and hospitality.

### 8.1 Definitions

To facilitate the understanding of the Policy, the following **definitions** are included below for guidance purposes:

- **Gift:** an act of liberality by which a person freely disposes of a thing in favor of another person by custom or voluntarily. In other words, any value that is given or received openly and transparently, as a symbol of gratitude.
- **Hospitality:** For the purposes of this Policy, hospitality means any care, generally of a social nature, which is offered or received in the context of business relationships.
- **Normal courtesy practices:** Attentions and details of moderate economic value that are also considered to be customary in public and private companies. By way of example and not exhaustively, the following are considered normal courtesy practices: corporate details with the Foundation's logo, branded promotional items or souvenirs, material used in meetings, seminars, conferences, or congresses, etc.

## 8.2 Principles of Interest

This Gift and Hospitality Policy adopts the values of the Foundation's Code of Ethics and Conduct, which should guide the actions of all its members regarding gifts and hospitality, based on the standards set out in ISO 37001, on Anti-Bribery Management Systems.

In this regard, all its senior bodies, managers and employees are prohibited from engaging in any practice that could lead to the acceptance or offer of advantages or incentives of any kind from companies or persons belonging to the public or private sector. Specifically, the following are prohibited:

- Gifts, presents, promises, bribes, excessive attention, or hidden commissions.
- Political donations should also be included unless they have been disclosed and are legally compliant and authorized by the Foundation.

## 8.3 Offering gifts and hospitality.

ValER's superior bodies, managers and employees may only offer gifts or hospitality when the following conditions are cumulatively met:

- That are in accordance with applicable laws.
- They must be of a promotional nature.
- They are not undertaken for the purpose of obtaining or retaining a particular business or business advantage.
- It is not done with the intention of influencing third parties or to obtain any undue advantage from them.
- It must not be offered to a public official or public authority, national or international, or to their close associates.
- They must not give rise to a conflict of interest.
- Other than gifts of cash, cheques, cards, presents, gifts or similar that can be used to transmit money.

## 8.4 Acceptance of gifts and hospitality

ValER's senior bodies, managers and employees may not, in general terms, accept any gift unless it is considered a courtesy gift and the following requirements are cumulatively met:

- Qualifying as a mere courtesy service (with a value of not more than €50).
- That the gift or hospitality cannot be refused as an offence to the giver.
- The gift is not intended to obtain or exchange favorable treatment.

- To be received in an open and transparent manner.
- It must not give rise to a conflict of interest.
- It is not a gift of cash or any other medium that allows the transmission of money.
- Senior bodies, managers and employees receiving and accepting any courtesy gift shall:
- Accept the gift on behalf of the Foundation, but in no case in its own name.
- You should enter it in the Gift Register and, depending on the nature of the complimentary gift, you may proceed to draw lots among your employees.

### 8.5 Gifts and hospitality at organization-sponsored events

The Board of Trustees of the Foundation shall be informed of any activity or event intended to be sponsored by the Foundation, as well as of any promotional or courtesy gift to be given at the sponsored event or activity. In any case, the offer, promise or concession of cash, regardless of the amount, is prohibited.

### 8.6 Registration of gifts and hospitality

In any case, customary gift and hospitality practices must be monitored, evaluated, and properly recorded by the Foundation. To this end, a Gift Register is created.

The registration shall contain the following data:

- Recipient of the gift or hospitality.
- Provider of the gift or hospitality.
- Date on which the offer and acceptance was made.
- The destination of the gift.
- Reason and description of the gift.

## 9. ACTIONS FOR FRAUD PREVENTION.

The following actions are aimed at complying with the legislation in force at any given time, the recommendations of the public authorities, social responsibility and good administrative practice, in order to regulate the criteria applicable to the prevention of fraud, especially in the activity to be carried out either as a managing entity or as an executing entity.

1. Identify the risk of fraud in the field of its activity.
2. Design and implement effective controls within the scope of its business to mitigate these risks.
3. Ensure that their activities are carried out with due diligence.
4. Take precautionary measures in case of suspected fraud.
5. Take corrective action if necessary.

## 10. PROTECTION OF PERSONAL DATA

In accordance with its Data Policy, the Code Subjects are obliged to respect the personal and family privacy of all persons whose data they have access to as a result of the organisation's activity, which must include personal, medical,



economic or any other type of data that may in any way affect the intimate and personal sphere of its owner.

All personal data shall be treated in a particularly restrictive manner, so that:

- Only those that are necessary will be collected.
- The collection, computer processing and use are carried out in such a way as to guarantee their security, veracity and accuracy, the right to privacy of individuals and compliance with the obligations of the Foundation resulting from the applicable regulations.
- Only those subjects of the Code who are authorized to do so by virtue of their functions shall have access to such data to the extent necessary.
- Code Subjects shall, when responding to requests for information and seizure and/or blocking by any other public body legally empowered to do so, provide the data strictly requested by the competent body in question.

You can consult all the information relating to ValER's Data Protection Policy at the following link to our website: [www.valer-f.es/es/proteccion-de-datos/](http://www.valer-f.es/es/proteccion-de-datos/)

## **11. COMMUNICATIONS CHANNEL AND ITS OPERATION**

In order to comply with Law 2/2023, of 20 February, regulating the protection of persons who report regulatory infringements and the fight against corruption (BOE no. 44, of 21 February 2023), Valer's highest body unanimously agreed at its meeting of 8 June 2023 to join the Internal Information System of the General Administration of the Generalitat de Catalunya. 44, of 21 February 2023), the highest body of Valer at its meeting of 8 June 2023 unanimously agreed to ValER joining the Internal Information System of the Administration of the Generalitat (SII-GVA), sharing the three elements that comprise it, so that the person responsible for the management of the Internal Information System and the procedure for managing the information received is the same as the one designated and approved in the Internal Information System of the Administration of the Generalitat.

The Foundation thus ensures a communication channel, access to which is available on its website, so that all employees can communicate any doubts, suggestions, incidents in the application of this code of conduct or report any suspicion or illicit behaviour of which they may be aware.

The communications received will be evaluated and treated confidentially, in accordance with the procedure established by the Coordination Commission of the sectorial bodies and units of internal control and inspection, the highest internal control and inspection body in charge of the Internal Information System of the Generalitat

The data of the participants will be handled in accordance with the applicable data protection regulations. Retaliation against employees who have made use of the channel to report possible irregularities will not be tolerated.

Likewise, the Foundation and its employees will not retaliate against employees who, acting in good faith, have reported irregularities that fall within the scope of this Code.

Any retaliation will be considered a serious breach of the Code of Conduct and will be grounds for disciplinary action.

## 12. DISCIPLINARY REGIME

In any case, failure to comply with the provisions of this Code of Ethics, or those that develop or complement it, may give rise to the corresponding disciplinary sanctions in accordance with the statutory regime, Collective Agreement, labour legislation, the Statute of Public Employees, and other civil and commercial obligations that the employee has contracted with the Foundation.

In the case of infringements constituting a criminal offence, the Foundation will report such conduct to the competent authorities.

In the event of non-compliance by customers, suppliers and external partners, mechanisms will be activated to terminate existing contractual relationships.

## 13. VALIDITY

This document shall enter into force on the date of its publication. Its content will be subject to periodic review, with any changes or modifications that may be deemed appropriate.

## 14. LEGAL FRAMEWORK

Both the European Union and Spanish legal systems contain a series of rules to which both members of the Government and senior officials of the Administration, as well as those who have the status of public employee, must adhere in the exercise of their functions.

In order to facilitate their knowledge, these rules are set out below in such a way as to summarise in a single document the most relevant rules concerning conduct in the performance of their duties, without prejudice to the fact that these rules are applicable in their entirety and without prejudice to the applicability of the other rules in force on the matter, even if they have not been included in this document:

- Law 2/2023 of 20 February on the protection of persons who report regulatory infringements and the fight against corruption.
- Law 1/2022, of 13 April, on Transparency and Good Governance of the Valencian Community.
- Law 4/2021, of 16 April, on the Valencian Civil Service.
- Law 3/2015, of 30 March, regulating the exercise of senior positions in the General State Administration.
- Law 40/2015, of 1 October, on the Legal Regime of the Public Sector.
- Royal Legislative Decree 5/2015, of 30 October, approving the revised text of the Basic Statute of the Public Employee Act.
- Law 19/2013, of 9 December, on Transparency, Access to Public Information and Good Governance.