Libera Università Internazionale
degli Studi Sociali Guido Carli

LUISS

Disciplinary System

Annex to the General Part of the Organization, Management and Control Model adopted by Luiss Guido Carli pursuant to Legislative Decree No. 231 of June 8, 2001

Approved at the meeting of the Luiss Board of Directors on March 13, 2025

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1. The disciplinary system

Pursuant to art. 6, paragraph 2, letter e), and 7, paragraph 4, letter b) of the Decree, the Model can be considered effectively implemented only if it provides for a Disciplinary System suitable for sanctioning non-compliance with the measures indicated therein.

Luiss has adopted a Disciplinary System, aimed at sanctioning conduct carried out in violation of the provisions of the Model. It will be applied in compliance with the regulations in force and has been prepared in compliance with the Civil Code, Law no. 300/1970 (the so-called "Workers' Statute"), the current Collective Labor Agreements as well as the regulations and/or procedures of Luiss reported on the University website, in the Statute and Regulations section.

The Disciplinary System is internal to Luiss, given that it intends to add additional provisions to those contained in the laws or regulations in force, as well as to integrate rules of an intra-company nature, including those of a disciplinary nature.

The subject of the sanctions are both violations of the Model committed by persons in top positions, as holders of representation, administration, management functions of the entity, or holders of the power of management or control of the entity, as well as violations perpetrated by subjects subject to the direction or supervision of others or in any case operating in the name and on behalf of Luiss. The initiation of disciplinary proceedings, as well as the application of the related sanctions, are independent of the possible initiation and/or outcome of any criminal proceedings concerning the same conduct relevant to the Disciplinary System.

The following rules identify and govern the system of sanctions that Luiss may impose for non-compliance with the principles and rules of conduct governed by the Organizational Model, the organizational procedures and the Protocols of the Model, including the Code of Ethics and the Whistleblowing Organizational Act.

1.1 The structure of the Disciplinary System

The Luiss Disciplinary System is divided into four sections: the first identifies the subjects subject to the sanctions envisaged; in the second, conduct abstractly capable of harming the effectiveness of the Model, and the attached Protocols, as a tool for preventing the risk of committing crimes relevant to the purposes of the Decree; in the third, the penalties that can be imposed in the abstract; in the fourth, the procedure for contesting the violation and imposition of the sanction.

The provisions contained in the Disciplinary System do not preclude the right of the recipients to exercise all the rights, including those of contestation or opposition against the disciplinary measure, recognized to them by law or regulation, as well as by collective bargaining and/or company regulations.

For what is not regulated in this Disciplinary System, the provisions of law and regulations, as well as the provisions of collective bargaining and Luiss regulations, where applicable, will apply.

This Disciplinary System is published on the institutional website as well as on the University intranet, so that full knowledge of it is guaranteed by the recipients identified below.

2. Recipients

The Luiss Disciplinary System is aimed at the following categories:

- Top Managers, i.e. members of the Board of Directors (BoD) and/or the Executive Committee (CE), including the Rector, the Director General and the Student Representatives; Executives (Function Managers and/or Management Teams); comparable figures such as the Employer and the Delegate pursuant to Article 16 of the Consolidated Law 81/08; comparable figures given the exercise of control, such as the Auditor;
- Teaching staff (i.e. pro-rectors; Full and/or Associate Professors; Adjunct professors; Dean; Head of Department) and Researchers;
- Employees (i.e. clerical workers; middle managers);
- Third parties (i.e. partners, collaborators, consultants, contractors, suppliers, designers, installers, RSPP, Competent Doctor, etc.);
- Third parties involved in the management of the whistleblowing system (i.e. the company that provides the IT platform; external members of the SB in charge of managing whistleblowing reports).

2.1 Top management

The rules and principles contained in the Model and in the Protocols connected to it must be respected, first of all, by the subjects who, regardless of the bond of subordination to Luiss, hold, within the University, a so-called "top" position ('Top Subjects').

Pursuant to Article 5, paragraph I, letter a) of the Decree, this category includes persons "***who hold representation, administration or management functions of the entity or of one of its organizational units endowed with financial and functional autonomy***", as well as persons who "***exercise, even de facto, the management or control***" of Luiss.

Similarly, the rules and principles contained in the Whistleblowing Organisational Act must be respected, first and foremost, by those who hold a top position.

In this context, the position of the members of the Luiss Board of Directors (hereinafter also referred to as the

'Directors') is first and foremost relevant. Think, for example, of the members of the Luiss Board of Directors and/or Executive Committee, including the Rector ('**Rector**'), the General Manager ('**General Manager**'), the Student Representatives ('**Student** Representatives'). The position of all Executives ('**Executives**') is also relevant, regardless of whether they are Function Managers and/or belong to the so-called Management Team.

The Independent Auditors (hereinafter referred to as the '**Auditor**'), as the Luiss Supervisory Body, are also comparable to top management.

In the category of Top Managers, as per Article 5 of the Decree, persons with financial and functional autonomy (such as the '**General Manager'**, the '**Employer**', the '**Delegate'** pursuant to Article 16 of the Consolidated Law 81/08 on safety) must be included.

The Employer may also be the recipient of sanctions pursuant to art. 18 T.U. 81/08, where it transgresses the provisions for the protection of safety and health in the workplace.

All the subjects indicated are therefore liable to the sanctions provided for in this Disciplinary System.

They have expressly committed themselves to compliance with the provisions and contents of the Model, and the related protocols, including the Code of Ethics and the Whistleblowing Organisational Act, by signing specific clauses included in the letters of appointment and/or agreements.

2.2 Teaching Staff (e.g. Vice-Rectors, Full and/or Associate Professors, Adjunct Professors , Dean, Head of Department) and Researchers

The Disciplinary System is also applicable to Teaching Staff (e.g. '**Pro-Rectors**', '**Full and/or Associate Professors'**, '**Adjunct Professors'**, '**Dean**', '**Head of Department'**) and Researchers ('**Researchers**'), also in accordance with the provisions of the applicable legislation (see Law no. 240/2010 so-called "Professors"). "Gelmini Law" and Royal Decree 31 August 1933, no. 1592).

In this sense, the rules and principles contained in the Luiss Code of Ethics and in the University Teaching Regulations contribute to the definition of the duties and/or obligations to be observed and must also be respected by these subjects.

2.3 Employees (e.g. clerical workers, middle managers)

Art. Article 7, paragraph 4, letter b) of Legislative Decree 231/01 prescribes the adoption of a suitable Disciplinary System that sanctions any violations of the measures provided for in the Model carried out by persons subject to the management or supervision of a "top" subject.

The rules and principles contained in the Whistleblowing Organisational Act must also be complied with by those persons who are subject to the direction or supervision of a "top" person.

In this regard, the position of all Luiss employees linked to it by an employment relationship is relevant, regardless of the contract applied, their qualification and/or their company classification (e.g. middle managers, white-collar workers, fixed-term workers, etc., hereinafter also collectively referred to as '**Employees**').

This category also includes Luiss Employees who are assigned, or who in any case perform, specific functions and/or tasks in the field of health and safety at work (e.g., the Supervisors, the Head and Employees of the Prevention and Protection Service, the First Aid Officers, the Fire Protection Officers, the Workers' Safety Representatives, the Workers' Safety Representatives, the Prevention and Protection Service Officers, the First Aid Officers, the Fire Protection Officers, the Workers' Safety Representatives, the Workers' Safety Representatives, the Workers' Safety Representatives, the Workers' Safety Representatives, the Workers' Safety Officers, the Workers' Safety Officers, the Workers' Safety Officers, etc.).

The Supervisors may also be subject to sanctions pursuant to art. 19 T.U. 81/08, where they violate the provisions set out to protect the safety and health of the workplace.

Employees, in their capacity as Workers, may also be subject to sanctions pursuant to art. 20 T.U. 81/08, where they violate the provisions for the protection of safety and health in the workplace.

2.4 Third parties required to comply with the Model (e.g. partners, collaborators, consultants, contractors, suppliers, designers, installers, RSPP, Competent Doctor, etc.)

This Disciplinary System also has the function of sanctioning violations of the Model committed by parties other than those indicated above. The rules and principles contained in the Whistleblowing Organisational Act must also be respected by these parties.

In particular, these are all the subjects (hereinafter, for the sake of brevity, collectively referred to as 'Third Party Recipients') who are required to comply with the Model as they operate, directly or indirectly, on behalf of Luiss.

The following subjects can fall within this category:

- partners and in any case all those who have partnership relationships with Luiss in any capacity;
- all those who have a non-subordinate employment relationship with Luiss (e.g.
- collaborators, consultants, temporary workers);
- collaborators in any capacity;
- contractors;
- the service providers;

- suppliers, manufacturers of plants, machines, equipment;
- the designers, the installers;
- the subjects to whom specific functions and tasks in the field of health and safety at work are assigned, or who in any case carry out, (e.g., the Competent Doctor and the Head of the Prevention and Protection Service, given that the latter is also external to Luiss).

They have expressly committed themselves to compliance with the provisions and contents of the Model, and the related protocols, including the Code of Ethics, by signing specific clauses included in contracts, letters of appointment, and/or agreements.

2.5 Third parties involved in the management of the 'whistleblowing system' (company that provides the IT platform; external members of the SB)

This Disciplinary System also has the function of sanctioning certain violations that third parties, involved in various capacities, may incur in the 'whistleblowing system'. In particular, the company that provided Luiss with the whistleblowing IT platform and the external members of the SB, to whom Luiss entrusted the task of managing whistleblowing reports.

They have expressly committed themselves to compliance with the provisions and contents of the Whistleblowing Organisational Act, expressly accepting the imposition of any sanctions, through the signing of specific clauses included in the relevant contracts.

3. Relevant conduct

For the purposes of this Disciplinary System, and in compliance with the provisions of collective bargaining (where applicable), actions and conduct carried out in violation of the Luiss Organizational Model, but also violations of the Protocols that are an integral part of it, including the Code of Ethics, the Luiss regulations and/or procedures referred to in the Model, constitute sanctionable conduct.

Conduct that violates the Organizational Act on whistleblowing adopted by Luiss also constitutes sanctionable conduct.

In order to ensure compliance with the principle of legality, as well as that of the proportionality of the sanction, it seems appropriate to indicate below (by way of example and not exhaustively) a list of possible violations according to an increasing order of seriousness.

In particular, with regard to all the Special Sections, except Special Part I relating to offences relating to safety at work and the environment, the following conducts are relevant:

1) failure to comply with the Model, in the event of violations of one or more procedural and/or behavioural rules provided for in the Model or in the Code of Ethics that can be configured as

minor deficiencies or violations carried out within the areas at risk instrumental to the commission of a certain crime, and provided that one of the conditions provided for in the following nos. 2, 3 and 4;

2) failure to comply with the Model, in the case of violations of one or more procedural and/or behavioural rules provided for in the Model or in the Code of Ethics that can be configured as more serious shortcomings or violations carried out within the areas at risk direct with respect to the commission of a certain crime, and provided that one of the conditions provided for in the following nos. 3 and 4;

3) failure to comply with the Model, if it is a violation of one or more procedural and/or behavioural rules provided for in the Model or in the Code of Ethics that can be configured as even more serious shortcomings or violations capable of integrating the sole fact (objective element) of one of the offences provided for in the Decree;

4) failure to comply with the Model, in the event of violations of one or more procedural and/or behavioural rules provided for in the Model or in the Code of Ethics such as to irreparably damage the relationship of trust by not allowing the continuation of the employment relationship or violations aimed at committing one of the offences provided for by the Decree or in any case capable of establishing the University's liability pursuant to the Decree.

With regard to Special Part I relating to culpable offences committed in violation of accident prevention regulations and on the protection of hygiene and health at work, the following conducts graduated according to an increasing order of seriousness are relevant:

1) violation of one or more procedural and/or behavioral rules provided for in the Model and in the Protocols, if the violation results in a situation of danger to the physical integrity of one or more people, including the author of the violation (by way of example and not limited to, the following are indicated: failure to carry out supervisory activities by the Supervisors, failure to report to the DL and the RSPP of risk situations relating to Health and Safety in the workplace, failure to use PPE, tampering with safety devices, obstructive behaviour towards the DL or RSPP, provided that one of the conditions provided for in the following nos. 6, 7, 8 and 9;

2) violation of one or more procedural and/or behavioral rules provided for in the Model and in the Protocols, if the violation causes an injury to the physical integrity of one or more persons, including the perpetrator of the violation, provided that one of the conditions provided for in the following nos. 7, 8 and 9;

3) violation of one or more procedural and/or behavioral rules provided for in the Model and in the Protocols, if the violation causes an injury, which can be qualified as "serious" pursuant to art. 583, paragraph 1, of the Criminal Code, to the physical integrity of one or more persons, including the author of the violation;

4) violation of one or more procedural and/or behavioral rules provided for in the Model and in the

Protocols, if the violation causes an injury, which can be qualified as "very serious" pursuant to art. 583, paragraph 1, of the Criminal Code;

5) violation of one or more procedural and/or behavioural rules provided for in the Model and in the Protocols, if the death of one or more persons pursuant to art. 589 of the Criminal Code, including the author of the violation.

With regard to Special Part I relating to environmental crimes, the following conducts are relevant:

1) violation of one or more procedural/behavioural rules provided for in the Model and in the Protocols if a situation of danger to the environment occurs;
2) violation of one or more procedural/behavioral rules provided for in the Model and in the Protocols if the violation is committed by way of negligence and constitutes one of the environmental crimes that establish the University's liability;
3) violation of one or more procedural/behavioral rules provided for in the Model and in the Protocols if the violation is committed by way of intent and constitutes one of the environmental crimes that establish the University's liability.

With regard to the violation of the obligations provided for in the Organizational Act adopted by Luiss on whistleblowing, and in any case in general, the following conducts are relevant:

1) failure to comply with the measures put in place to protect the confidentiality of the identity of the person who has reported violations of the Model or made whistleblowing reports, the content of the whistleblowing report and/or in any case disclosure of any information that allows the identity of the whistleblowing whistleblower to be traced, or failure to comply with the current legislation on the Protection of Personal Data of the whistleblowing whistleblower;
2) failure to respond to the whistleblower of the reports or failure to investigate the aforementioned reports or omissions or incorrect conduct and/or conduct that does not comply with the provisions of the Organizational Act in the management of the aforementioned reports;
3) conduct that hinders whistleblowing reports or that hinders the reporting of violations of the Model and/or the Code of Ethics;
4) direct and indirect retaliatory and/or discriminatory conduct against whistleblowing reporting parties or in any case reporting persons violating the Model and/or the Code of Ethics;
5) whistleblowing reports carried out, with intent or gross negligence, which prove to be unfounded or in any case reports concerning violations of the Model and/or the Code of Ethics, carried out with intent or gross negligence, which prove to be unfounded.

4. Penalties

The penalties shall be applied in accordance with the provisions set out in paragraph 5, as well as with the rules found in collective bargaining, where applicable.

In any case, the identification of penalties must take into account the principles of proportionality and adequacy of the alleged violation.

In general, the following will be relevant:

- the type of offence committed;
- the circumstances in which the unlawful conduct developed;
- the methods of commission of the conduct.

For the purposes of any aggravation of the sanction, the following elements will be taken into account:

- any commission of several violations in the context of the same conduct, in which case the aggravation will be carried out in compliance with the sanction provided for the most serious violation;
- possible participation of several subjects in the commission of violations;
- seriousness of the conduct;
- intensity of intent or degree of guilt;
- possible recidivism of its author.

The application of sanctions does not affect the right of Luiss to take action against the responsible party in order to obtain compensation for all damages suffered due to or as a result of the conduct ascertained.

4.1 Sanctions against Top Managers

Where the commission of one of the violations indicated in paragraph 3 by a Top Management Person (e.g. members of the Board of Directors and/or the Executive Committee, including the Rector, General Manager, Student Representatives; Employer and Delegate pursuant to Article 16 of the Consolidated Law on Employment; Executives; Auditor) the following sanctions will be applied:

- written warning;
- warns against punctual compliance with the provisions contained in the Model and/or in the Code of Ethics;
- the reduction of emoluments or the expected fee, up to 50%, to be donated to scholarships in favor of deserving and needy students and/or temporary suspension from office;

· revocation of the appointment.

Especially:

a) for the violations referred to in nos. 1, 2, 5, 6, 10 of paragraph 3. the sanction of a written warning or a warning to comply with the provisions of the Model will be applied;

b) for the violations referred to in nos. 2, 3, 6, 7, 8, 11, 13, 15, 16 of paragraph 3. the sanction of a warning to comply with the provisions of the Model will be applied, i.e. that of the reduction of emoluments up to 50% (to be donated to scholarships in favor of deserving and needy students) and/or that of temporary suspension from office;

c) for the violations referred to in nos. 4, 8, 9, 12, 15, 16, 17 of paragraph 3. the sanction of a reduction in emoluments of up to 50% (to be donated to scholarships in favor of deserving and needy students) and/or that of temporary suspension from office or, in cases of greater seriousness, that of revocation from office, will be applied.

In any case, Luiss may suspend the relationship as a precautionary measure, until the time of the imposition of any sanction.

Luiss requires Directors, who are not linked to Luiss by an employment relationship, or the Employer in their original capacity, to sign specific clauses aimed at providing for the application of the sanctions indicated above in the event of violation of the Model and/or the Code of Ethics and/or the Organizational Act on ***whistleblowing***.

If the violation is alleged against the General Manager or Managers, or in any case against a Top Management linked to Luiss by an employment relationship, the sanctions provided for Employees provided for in paragraph 4.3 below will be applied.

4.2 Sanctions against Teaching Staff (e.g. Vice-Rectors, Full and/or Associate Professors, Adjunct Professors, Deans, Head of Departments) and Researchers

The Teaching Staff (i.e. Vice-Rectors, Full and/or Associate Professors, Dean, Head of Department) as well as the Researchers are figures whose work contribution is not regulated by the Luiss CCL.

The sanctioning system is governed by the different applicable legislation, specifically by art. 87 and 89 of Royal Decree 1592 of 31 August 1933 and art. 10 of Law 240 of 30 December 2010 (the so-called "Gelmini Law").

Art. 87 of Royal Decree 1592 of 31 August 1933 provides for the following sanctions, graduated "according to the seriousness of the deficiencies":

1) censorship;

2) suspension from office and salary for one year;

3) revocation;
4) dismissal without loss of the right to a pension or allowances;
5) dismissal with loss of the right to a pension or allowances.

Especially:

a) for the violations referred to in nos. 1, 2, 5, 6, 10 of paragraph 3, the sanction of censure will be applied;
b) for the violations referred to in nos. 2, 3, 6, 7, 8, 11, 13, 15, 16 of paragraph 3, the sanction of censure will be applied, i.e. that of suspension from office and salary for one year or, in the most serious cases, that of revocation;
c) for the violations referred to in nos. 4, 8, 9, 12, 15, 16, 17 of paragraph 3, the sanction of suspension from office and salary for one year or that of revocation or, in the most serious cases, that of dismissal without or with loss of the right to pension or allowances, will be applied.

For Contract Teachers, the sanctions provided for Third Recipients apply.

4.3 Sanctions against Employees

If it is ascertained that one of the violations indicated in paragraph 3 has been committed by a person who can be qualified as an employee in the same way as provided for in paragraph 2.3 above (i.e. clerical workers, middle managers), the sanctioning system is based on the general discipline referred to in art. 7 of Law 300/1970, the so-called Workers' Statute and the Luiss Collective Agreement (CCL). If it is ascertained that one of the violations indicated in paragraph 3 has been committed by a Manager (Head of Function and/or members of the so-called Management Team), it must be considered applicable, pursuant to art. 27 (General provisions) of the CCNL for Industry Executives, where compatible with the managerial figure, the same sanctioning discipline relating to the Luiss CCL as well as the legislative regulations in force on the subject.

The applicable penalties are:

- verbal warning;
- written warning;
- the fine to the extent provided for by the collective bargaining applicable to the specific case (up to 4 hours of remuneration);
- suspension from service and remuneration within the limits provided for by the collective bargaining applicable to the specific case (up to 10 days);
- dismissal (making specific reference to Law no. 604 of 15 July 1966).

Especially:

a) for the violations referred to in nos. 1, 2, 5, 6, 10 of paragraph 3, the sanction of a verbal warning or a written warning will be applied;

b) for the violations referred to in nos. 2, 3, 6, 7, 8, 11, 13, 15, 16 of paragraph 3, the sanction of a fine or, in the most serious cases, that of suspension from service will be applied;

c) for the violations referred to in nos. 4, 8, 9, 12, 15, 16, 17 of paragraph 3, the sanction of suspension from service or, in the most serious cases, that of dismissal will be applied.

d) In any case, Luiss may suspend the relationship as a precautionary measure, until the time of the imposition of any sanction.

4.4 Sanctions against Third Party Recipients (i.e. partners, collaborators, consultants, contractors, suppliers, designers, RSPP, Competent Doctor, etc.)

If it is established that one of the violations indicated in paragraph 3 has been committed by a Third Party Recipient, the following sanctions will be applied:

- warning to punctually comply with the provisions of the Model and/or the Code of Ethics, and/or in the Whistleblowing Organisational Act where the factual circumstances allow and recommend it, in order to re-establish the correctness of the factual situation and the contractual relationship, the warning will have as its object the application, at the full expense of the Third Party, of all the appropriate measures to manage and resolve the violations found (so-called "***Remediation Plan***"), under penalty of the termination of the contractual relationship with Luiss;
- application of a penalty commensurate with a percentage ranging between 10% and 30% of the agreed amount in favor of the Third Recipient to be donated to scholarships for deserving and needy students;
- immediate termination of the negotiation relationship with Luiss.

Especially:

a) for the violations referred to in nos. 1, 2, 5, 6, 10 of paragraph 3, the sanction of a warning or, in the most serious cases, that of a penalty will be applied;

b) for the violations referred to in nos. 2, 3, 6, 7, 8, 11, 13, 15, 16 of paragraph 3, the sanction of a penalty or, in the most serious cases, that of termination will be applied;

c) for the violations referred to in nos. 4, 8, 9, 12, 15, 16, 17 of paragraph 3, the sanction of a penalty or, in the most serious cases, that of termination will be applied.

As part of its relations with Third Party Recipients, Luiss includes specific clauses in letters of appointment, partnership, professional collaboration, service and/or related negotiation agreements, aimed at providing for the application of the above measures in the event of violation of the Model, the Protocols, the Code of Ethics, the ***Whistleblowing*** Organizational Act.

Luiss may also insert specific clauses that provide: (i) the right to view the Model adopted by the other Party; (ii) the mutual commitment of each Party to comply with its Model (and related Protocols), sanctioning the related violations in compliance with the principle of gradualness, in accordance with the above; (iii) clause 231 subjection to the disciplinary power of Luiss and obligation to collaborate with the Luiss Supervisory Board.

In the event that the violations provided for in paragraph 3 are committed in the context of works or service contracts, the sanctions will be applied, as a result of the positive ascertainment of the violations by the worker or collaborator working at the Third Party Recipient, against the latter.

4.5 Sanctions against Third Parties involved in the management of the 'whistleblowing system' (company that provides the IT platform; external members of the SB)

If it is ascertained that one of the violations indicated in paragraph 3 has been committed by a third party involved in the '***whistleblowing system***', the following sanctions will be applied:

- termination of the Agreement;
- application of a penalty ranging between € 4,000.00 and € 8,000.00.

Especially:

a) for the violations referred to in nos. 13, 14, 15 and 16 of paragraph 3, the sanction of a penalty or, in the most serious cases, that of the termination of the contract will be applied.

As part of its relations with third parties involved in the management of the ' ***whistleblowing system'*** (the company that provides the IT platform, external members of the SB), Luiss includes the application of the above measures in the letters of appointment and/or contracts.

5. The procedure for imposing penalties

The procedures to be followed in the context of the phase of imposition of penalties resulting from the possible commission of the violations provided for in paragraph 3 are indicated below. These procedures will be described below with reference to each category of recipients, indicating, for each:

- the phase of contesting the violation to the interested party;
- the justification phase by the data subject;
- the phase of determination and subsequent imposition of the sanction.

The procedure for imposing the sanction will begin after the competent functions, as identified below, have independently become aware of the violation or have received the communication with which the SB reports the violation of the Model, except in the event that the violations are found directly by the competent functions.

In all cases in which the SB receives a report (even anonymously) or acquires, in the course of its supervisory and verification activities, the elements suitable for configuring the risk of a violation of the Model, the SB is obliged to take action in order to carry out the investigations and controls falling within the scope of its activity and deemed appropriate.

Once the verification and control activity has been completed, the SB must assess, on the basis of the elements in its possession, whether a violation of the Model and/or the Code of Ethics has actually occurred. If so, he must report the violation to the competent functions; if not, it may still transmit the report to the competent functions for the purpose of assessing the possible relevance of the conduct with respect to other applicable laws or regulations.

In the case of ***whistleblowing reports***, the SB must carry out the management of the report, also by resorting to internal functions of the University and, if it considers the report to be well-founded, it must transmit it to the competent internal bodies/functions (e.g. Board of Directors, hierarchical manager of the perpetrator of the violation) for the assumption of the determinations of competence against the perpetrator of the violation.

Where the competent bodies verify violations of the ***Whistleblowing*** Organisational Act by the company that provided the IT platform and/or against the SB in charge of managing ***whistleblowing reports***, they shall proceed to impose the relevant sanctions.

5.1 Towards Top Managers

If the SB finds that the Model and/or the Code of Ethics has been violated by a Top Management (e.g. members of the Board of Directors and/or the Executive Committee, including the Rector, General Manager, Student Representatives, Managers, Employer, Delegate pursuant to Article 16 of the Consolidated Law on Finance), it shall send the Board of Directors a written report containing:

- the description of the conduct observed;
- an indication of the provisions of the Model and/or the Code of Ethics that have been violated;
- the details of the person responsible for the violation;
- any documents proving the violation and/or other corroborating elements;
- the classification of the conduct considered relevant in one of the offences typified in this disciplinary system.

Within ten days of the acquisition of the SB's report, the Board of Directors shall convene the person indicated by the SB for a meeting of the Board, to be held no later than thirty days after receipt of the report itself. The convocation must be:

- made in writing;
- contain an indication of the disputed conduct and the provisions of the Model and/or Code of Ethics subject to violation;
- communicate the date of the meeting to the interested party, with notice of the right to formulate any remarks and/or deductions, both written and verbal.

The described procedure must also be followed where the violation of the Model is possibly committed in competition by a Director and an employee.

The convocation must be signed by the President. The convocation cannot be signed by the President if he is the person accused of having committed the violation. In this case, the convocation must be signed by a member of the Board of Directors identified for this purpose. In any case, the convocation cannot be signed by the person who may be accused.

On the occasion of the meeting of the Board of Directors, in which the SB is also invited to participate, the interested party is interviewed, any deductions formulated by the latter are acquired and any further investigations deemed appropriate are carried out.

The Board of Directors, on the basis of the information acquired, shall determine, if necessary, the sanction deemed applicable. If the Board of Directors considers that it does not impose any sanction, it is required to justify the reasons.

The resolution of the Board of Directors is communicated in writing, by the Chairman of the Board of Directors, to the interested party, as well as to the SB. The SB verifies its application.

5.2 Towards Teaching Staff (e.g. Vice-Rectors, Full and/or Associate Professors, Adjunct Professors, Dean, Head of Department) and Researchers

The procedure for the imposition of disciplinary sanctions against Teaching Staff (i.e. Pro-Rectors, Full and/or Associate Professors, Dean, Head of Department) and Researchers, is governed by art. 10 of the Gelmini Law.

The initiation of the procedure is the responsibility of the Rector who, for any fact that may give rise to the imposition of a sanction more serious than censure, within 30 days of becoming aware of the facts, transmits the documents to the Disciplinary Board, formulating a reasoned proposal.

The Disciplinary Board, after consulting the Rector or his delegate and the professor concerned, possibly assisted by his or her trusted counsel, within 30 days expresses a binding opinion on the proposal made by the Rector, both in relation to the relevance of the facts on the disciplinary level and in relation to the sanction to be imposed, and transmits the acts to the Board of Directors, for the adoption of the consequent resolutions. Within 30 days of receipt of the opinion, the Board of Directors, without the representation of the students, imposes the sanction or orders the dismissal of the proceedings, in accordance with the binding opinion expressed by the Disciplinary Board.

The General Manager shall impose sanctions on Contract Teachers in accordance with the provisions of the following paragraph relating to Third Party Recipients.

5.3 Towards Employees

If the SB finds that an Employee has violated the Model and/or the Code of Ethics, the procedure for ascertaining the offence is carried out in compliance with the provisions of art. 7 of the Workers' Statute and/or applicable contracts.

In particular, the SB shall send the Director General a written report containing:

- the description of the conduct observed;
- an indication of the provisions of the Model and/or the Code of Ethics that have been violated;
- the details of the person responsible for the violation;
- any documents proving the violation and/or other corroborating elements;
- the classification of the conduct considered relevant in one of the offences typified in this disciplinary system.

Within ten days of the acquisition of the SB's report, the General Manager shall accuse the employee concerned of the violation found by the SB, by means of a written communication containing:

- the precise indication of the disputed conduct and the provisions of the Model and/or the Code of Ethics subject to violation;
- the notice of the right to formulate any deductions and/or written justifications within eight days of receipt of the communication, as well as to request the intervention of the representative of the trade union association to which the employee belongs or gives a mandate.

The objection must be signed by the General Manager.

The procedure for ascertaining the offence and imposing any sanction follows the requirements of art. 7 of the Workers' Statute and/or applicable contracts.

The General Manager, on the basis of the information acquired, shall determine, if necessary, the sanction deemed applicable. If he does not consider imposing any sanction, he must justify the reasons.

The decision imposing the sanction shall be communicated in writing to the person concerned by the Director General.

The SB, to which the measure imposing the sanction is sent for information, verifies its application.

The General Manager also provides complete information on the incident, whatever the outcome of the investigations, to the Board of Directors.

5.4 Towards Third Party Recipients (i.e. partners, collaborators, consultants, contractors, suppliers, designers, installers, RSPP, Competent Doctor, etc.)

If the SB finds that the Model and/or the Code of Ethics has been violated by a Third Party Recipient, it shall send the General Manager a written report containing:

- the description of the conduct observed;
- an indication of the provisions of the Model and/or the Code of Ethics that have been violated;
- the details of the person responsible for the violation;
- any documents proving the violation and/or other corroborating elements;
- its own proposal regarding the appropriate sanction with respect to the concrete case;
- the classification of the conduct considered relevant in one of the offences typified in this disciplinary system.

Within ten days of the acquisition of the SB's report, the Director General shall rule on the complaint of the violation. He or she then sends the interested party a written communication, containing an indication of the disputed conduct and the provisions of the Model and/or Code of Ethics subject to violation, as well as the contractually applicable remedy. Within ten days of receipt, the Third Party may submit its disciplinary deductions to the Director General.

Any measure imposing the sanction is communicated in writing to the interested party by the Director General who also provides for the application of the sanction itself in compliance with the laws and regulations. If the Director General decides not to impose any sanction, he is required to justify the reasons.

The SB, to which the communication is sent for information, verifies the application of the contractual remedy applied.

The General Manager also provides complete information on the incident, whatever the outcome of the investigations, to the Board of Directors.

5.5 Towards Third Parties involved in the management of the whistleblowing system (company that provides the IT platform; external members of the SB)

If the competent internal bodies/functions detect a violation of the Organisational Act ***whistleblowing*** by the third parties involved in the management (e.g. the company that provides the IT platform; external members of the SB), they shall send the Board of Directors a written report containing:

- the description of the conduct observed;

- the details of the person responsible for the violation;
- any documents proving the violation and/or other corroborating elements;
- its own proposal regarding the appropriate sanction with respect to the concrete case;
- the classification of the conduct considered relevant in one of the offences typified in this disciplinary system.

The Chairman of the Board of Directors shall then send the person concerned a written communication, containing an indication of the conduct complained of, as well as the contractually provided remedy applicable. Within ten days of receipt, the Third Party may submit its disciplinary deductions.

The Board of Directors, on the basis of the elements acquired, may determine the sanction deemed applicable. If the Board of Directors considers that it does not impose any sanction, it is required to justify the reasons.

The measure imposing the sanction is communicated in writing to the interested party by the Chairman of the Board of Directors.