



## Code of Conduct

### Foreword

Aware of its responsibility for compliance with legal requirements and internal guidelines, the management board of the University Hospital of Würzburg has decided to establish a compliance management system.

This code of conduct is part of the compliance management system. It formulates the essential rules and principles for legally correct and responsible behaviour for all employees. It also reflects the values that are especially important for the University Hospital with regard to its health care responsibilities and also in particular as a university research institution.

Each employee is called upon to review his/her own behaviour relative to the criteria in this code of conduct, and to ensure that these criteria are always met.

### 1. Scope

The code of conduct contains the most important rules and behavioural principles, which apply to all employees of the University Hospital of Würzburg and must be complied with at all times. The term employees also includes employees of the Free State of Bavaria who are working at the hospital; it includes management personnel. The code of conduct serves to make employees aware of the fundamental and indispensable ethical and legal requirements with which they must comply in the course of their work.

Specific provisions in laws, ordinances, labour agreements, service agreements, internal guidelines (in particular procedure instructions and safety and quality rules), etc., remain unaffected. The latter are made accessible to each employee via the document routing system, vitris. Each employee is responsible to use vitris qm regularly to inform himself/herself regarding the internal guidelines that apply to his/her area of activity.

### 2. General principles

All employees are obligated to comply with applicable statutory and regulatory provisions. The same applies to all internal guidelines, etc. It is impermissible to take part in any actions clearly intended to circumvent statutory, regulatory or internal guidelines.

In particular, the University Hospital expects its employees to have personal integrity and reliability. Violations of statutory and regulatory provisions or of internal guidelines may lead to labour law measures up to and including termination of employment and criminal sanctions. Ignorance cannot be accepted as an excuse for misbehaviour in this regard, and cannot serve as protection against sanctions. This also applies to internal guidelines, provided there was reasonable opportunity to learn about them.

### 3. Respectful interaction with patients, business partners and colleagues

All patients and business partners must be dealt with in a fair and respectful manner. Interaction between employees must be characterized by fairness and mutual esteem. Every individual's personal dignity, privacy and personality rights must be respected. Discrimination, harassment and insults will not be tolerated. The same applies to any form of coercion, violence or the threat thereof.



Restricting patients' freedom is only permitted under strict compliance with internal standards that are strictly oriented to the legal provisions as well as the principle of proportionality.

#### **4. Quality and safety of services**

The quality and safety of our service forms the basis of all activities of the University Hospital. Each employee is responsible for ensuring compliance with these principles within his/her area of responsibility. Laws and internal guidelines regarding safety and quality must be consistently observed. This applies particularly to employees in the individual clinics / institutes / other treatment facilities when interacting with patients. However, it also applies to employees in the various research departments.

In particular, employees must always appear in their workplace in a condition ready for work. Severe fatigue, intoxication with alcohol or taking other intoxicants are incompatible with this principle. On this topic, you are explicitly referred to the service instruction dated 13.01.2003.

#### **5. Medical services**

Medical services must only be provided by the responsible and appropriately qualified specialist personnel. The "specialist physician standards" must be strictly complied with.

Also to be complied with are the legal and internal hygiene provisions as well as the provisions of the Medical Device Law, the Infection Protection Act and comparable provisions for protecting patients and personnel.

The Hospital considers it to be reasonable and appropriate to collaborate with external hospitals and practitioners to promote optimized patient care. However, such collaborations must comply with the legal and internal provisions. For example, the prohibition on referring patients in exchange for compensation must absolutely be observed.

#### **6. Remuneration/billing for medical services**

With regard to remuneration/billing for services, the legal provisions and codes of professional conduct must always be complied with. Services performed by private physicians are provided and settled in compliance with the requirements of the personal service provision obligation.

Services based on approvals from ambulatory healthcare centres may only be provided by physicians who are authorised to do so.

#### **7. Malpractice**

The University Hospital has also set the goal of treating patients and/or their relatives fairly even in connection with cases of actual or alleged malpractice. In implementing the requirements of the Patients' Rights Act, various internal provisions were created, such as a manual for informing physicians and a manual regarding documentation of hospital treatment, whose specifications are to be followed by all employees who work in the area of patient care.

#### **8. Research services**

Research services must correspond strictly to the legal provisions as well as the general scientific and university standards for protection of patients / test subjects and protection of personnel (e.g., provisions regarding copyright, rights to inventions, etc.).

For research involving third-party funds, particular attention must be paid to the balance between service and compensation in order to ensure the independence of the research.

## **9. Avoidance of conflicts between private and business interests**

Business activity must always be in the best interests of the Hospital. Employees must avoid situations in which their own personal interests, (including financial interests) or those of people near to them collide with the Hospital's interests.

## **10. Awarding orders**

The University Hospital has a considerable economic impact far beyond the region. It is therefore of particular importance to preserve business neutrality when awarding orders to external business partners. The current versions of the relevant legal provisions for awarding orders as well as the internal procurement provisions of the University Hospital of Würzburg must therefore be strictly complied with.

## **11. Non-cash benefits / gifts and entertainment / invitations**

Non-cash benefits or gifts may only be accepted when they are of little value and they are accepted freely without any expectation of quid pro quo. The details are determined by the current versions of the University Hospital of Würzburg's management guidelines.

## **12. Donations / sponsoring**

With regard to all donations and sponsoring arrangements, care must be taken that the legal and internal provisions are observed. The Hospital only accepts donations voluntarily and without any expectation of quid pro quo. The requirements for approval of donations, complete documentation and tax deductibility must be observed.

## **13. Labour law**

As an employer, it is of particular importance for the University Hospital to comply with legal provisions, labour agreements and internal labour law provisions.

## **14. Data protection**

Confidential and personal information, and particularly patients' information, that is not intended to be shared with third parties must be protected against misuse. In handling personal information, every employee, patient and business partner must be protected against violation of their personality rights. Personal information may only be collected, processed and used insofar as this is necessary for lawful fulfilment of a task. All data privacy provisions, such as the data privacy provisions for handling personal patient data, medical records and medical records archives, must be observed.

## **15. Confidentiality / handling of business secrets**

Every employee is obligated not to disclose any confidential business of the Hospital or any confidential information about patients or business partners.

Confidential information includes all information that is marked as such, or about which it can be assumed that is not publicly known and should not be made public. Confidential information regarding the Hospital must not be disclosed to outsiders or employees who are not involved.

Employees must handle business secrets responsibly and must not use them to gain economic advantage for themselves or others.

All confidential information must be protected against unauthorised access by third parties. Internally as well, care must be taken that this information is only disclosed to employees who need it to perform their work.

## 16. Complaints regarding internal operations

If involved parties have the evidence-based opinion that safety or health protection in the workplace are not adequately ensured, or that other violations of legal provisions exist, the following contacts are available:

- a. your immediate supervisor or, if this is not possible due to the facts to be reported, the next higher supervisor and so on up to the hospital board,
- b. the responsible position in the administration,
- c. the medical director as the superior of the scientific personnel
- d. the business director as the superior of the non-scientific personnel.

For frequent concerns, a flyer for employee feedback is available from the intranet: <http://www.intranet.uk-wuerzburg.de/info-service/mitarbeiterfeedback.html>. There you will find, for example, specific contact persons for possible violations of the General Equal Treatment Act or of equal treatment provisions.

## 17. Hospital property / possessions

Hospital property / possessions must be protected against loss, damage and theft. Property includes not only material assets but also immaterial goods (intellectual property / software).

Each employee is responsible for protecting hospital property. Property, possessions and other assets of the hospital must exclusively be used for the intended business purpose. Use for other purposes (particularly for personal, illegal or impermissible purposes) is not allowed. Actions to the contrary can, among other things, meet the factual requirements under criminal law for theft or embezzlement, and in this case the hospital will press charges with the responsible criminal law authorities. When using resources and equipment (e.g., phone, PC, internet), the existing specific provisions for this must be observed, particularly internal guidelines.

## 18. Financial reports

The imperatives for correctness and transparency require that all documentation, statements and data collection must be complete, orderly and correct, that the relevant data are created in a timely manner and comply with legal and contractual requirements.

This applies particularly to bookkeeping and accounting as well as the other reports regarding business development and the hospital's financial situation.

## 19. Communication with the public

Official statements and communication with the public in the hospital's name may only be done by the Hospital's medical director or persons explicitly delegated to do so, or by persons authorised by their role. Other employees must not independently respond to questions or give out information in the Hospital's name. This does not apply to scientists who are addressed in their capacity as experts.

## 20. Conservation of resources / environmental protection

The University Hospital considers it part of its responsibility to protect nature as the foundation of life and to treat resources carefully. The Hospital acknowledges its responsibility for environmental protection and the sustainability of enterprise decisions. From this it follows that all employees are obligated in their actions and decisions to take account of the effects on the environment and to avoid environmental impacts to the extent possible.

## 21. Rules for complying with the code of conduct in everyday work

The rules in this code of conduct cannot conclusively govern the great variety of the actions the Hospital's employees. All employees must therefore always pose the following questions regarding their own behaviour in everyday work:

- a. Are the decisions and the resulting actions legal and ethically correct?
- b. Does the behaviour conform to the Hospital's principles and internal guidelines?
- c. Is the action free of personal interests that are in conflict with the enterprise's interests?
- d. How would the behaviour be judged in public (e.g., if someone hears about it in the press)?
- e. Can the effects of the behaviour harm the Hospital's reputation?

All employees must be aware that they will harm themselves and the Hospital if they act illegally or contrary to internal guidelines. Even short-term economic gains do not justify violation of long-term enterprise principles.

## 22. Reporting violations

Each employee is responsible for complying with the rules in this code of conduct. The original responsibilities / areas of responsibility, e.g., from allocations of business duties, are not affected by the code of conduct.

All managers must take care that their employees are familiar with the contents of the code of conduct and that the applicable rules are observed.

By their actions, managers are an example for their employees. On the other hand, the employees turn to the responsible manager when they have questions about how to apply the rules in the code of conduct.

If an employee becomes aware of a severe violation of provisions or the code of conduct's rules, he/she is obligated to report it. The following options are available:

- The relevant manager or the central compliance officer can be contacted directly.
- An anonymous report via e-mail can be submitted via the intranet in the newly introduced compliance reporting system. The e-mail will be received by the compliance officer, who will then evaluate it.

Incoming reports are treated as strictly confidential. Confidentiality is ensured by means of suitable organisational and technical measures.

The (potential) infringer's interest in protection of his/her right of personality is taken into account. The information should enable the Hospital to promptly react, in the interest of the employees, patients and business partners, to possible deficiencies, and to remedy them. By means of such reports, employees can help the Hospital be perceived in public as an upright and trustworthy partner, now and in future.

## 23. Contact person - compliance officer

The compliance officer is appointed by the management board of the University Hospital of Würzburg. He/she is free from all interference when evaluating incoming reports. The establishment of the code of conduct and of the compliance officer's position explicitly do not free the departments from their own responsibility. Routine or basic advices are also not the responsibility of the compliance officer. At his own discretion, the compliance officer may use other offices within the Hospital for legal evaluation of the reports, such as the legal department; they must perform the work requested by the compliance officer.