
FUOC Criminal Compliance Policy

Compliance Committee

02/12/2021

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Versions table

Version	Date	Change	Reason for the change
00	19/09/2018	Entire Policy	New creation
01	02/12/2021	Entire Policy	Adaptation to the new reality of the Institution

Prepared by	Reviewed by	Approved per
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1. Purpose of the document

The purpose of this document is to demonstrate the will of the Board of Trustees of the Fundació per a la Universitat Oberta de Catalunya (hereinafter, "**the FUOC**") and the Senior Management of the Universitat Oberta de Catalunya (hereinafter, "**the UOC**", "**the University**", "**the Organization**" or "**the Institution**") to promote and approve a **Criminal Compliance Policy** (hereinafter "**the Policy**"), which is consistent with its goals and which sets out an appropriate framework for defining, reviewing and achieving criminal compliance objectives.

The policy aims to achieve the following objectives: (i) determine the scope of application and (ii) establish the general principles.

This Policy is of a dynamic nature and will be revised in order to continuously adapt it to the reality of the Institution and current applicable legislation.

2. Scope of application

The Policy applies both to the **FUOC** and to the other companies in the group (hereinafter, "**the Group**" or "**the Business Group**"). In any case, from now on, the name "**UOC**" will encompass all of the group companies as a whole.

The Policy also applies to all managers and workers, regardless of the type of contract that determines their employment or commercial relationship, their hierarchical position within the Institution, and no matter their work, teaching, research, management or support centre where they provide their services.

Furthermore, the Policy applies to people carrying out activities in the name or on behalf of the Organization, as well as to business partners who may cause criminal risks for the UOC and other stakeholders that the UOC may occasionally identify through its procedures and internal self-regulatory standards.

3. General principles

The general principles that must govern the UOC in terms of criminal compliance are as follows:

1. The implementation and effective development of a **culture of ethics**, regardless of the position and location of the place where the duties are performed within the organization.
2. Obligatory compliance with current criminal legislation applicable to the University, as well as with the Policy and the rest of the UOC's Criminal Compliance Management System (hereinafter, "**the CCMS**"), with the aim of minimizing the University's exposure to criminal risks.
3. **Zero tolerance towards any criminal or unlawful acts or those that contravene the values and principles of the UOC Code of Ethics or Code of Conduct**, not only among members of the Organization but also among those business partners with whom we establish professional or commercial relationships, with the ultimate objective of ensuring that our commercial and professional relationships are always governed by ethical values, criminal compliance, integrity, objectivity, transparency, and the highest standards of professionalism and quality.
4. The **obligation to report incidents or conduct that could give rise to criminal liability for the University and that are related to criminal risks** through the channel for queries and complaints, with the Institution guaranteeing, in all cases, that the person making the enquiry or complaint in good faith will not be subject to reprisals.
5. The implementation of a **queries and complaints channel** and internal standards governing the management, handling and processing of the communications received, guaranteeing the parties involved respect for the corresponding fundamental rights, in particular confidentiality, presumption of innocence, independence and objectivity of the decisions made.
6. The creation of a **Compliance Committee** and the appointment of its members and of the Compliance Officer, providing them with sufficient material and human resources to perform their tasks, promoting the development of their expertise and continuous training, in order to ensure their leadership, autonomy and independence in the performance of their duties, reporting directly to the Board of Trustees.
7. **Appropriate communication, training, raising of awareness and understanding**

for the members of the organization and, when necessary, for business partners and other stakeholders who may also require it, on the content, requirements and nature of the CCMS, with the aim of achieving maximum awareness of our ethical values among stakeholders, knowledge of the CCMS by the members of the organization and effective implementation of the CCMS throughout the Institution, in order to achieve maximum effectiveness and development of a culture of ethics and compliance with the law in the performance of our activities.

8. The creation of a **criminal risk matrix** that identifies which activities are likely to give rise to criminal liability for the University and the determination of the corresponding processes and controls to mitigate the chances of such risks materializing.

9. The establishment of **procedures that develop the CCMS**, with the aim of effectively managing it, through the establishment of appropriate indicators to assess the extent of effective implementation, non-conformities and corrective actions, within a process of continuous revision and improvement.

10. The establishment, by the Compliance Committee and on a yearly basis, of **compliance objectives** in order to improve, update and promote the CCMS.

11. The adoption of the appropriate **disciplinary measures** to deal with risks and possible breaches of the CCMS, as well as the perpetration of any unlawful or criminal conduct, considered for this purpose as a very serious infringement due to a breach of contractual good faith. This is without prejudice to any other type of legal or contractual liability that may arise from such conduct.

4. Approval of the Policy

Approval of this Policy has been given by the Board of Trustees of the Fundació per a la Universitat Oberta de Catalunya as its highest governance body.

5. Confidentiality

All of the rules, procedures and documents approved internally are the property of the UOC and may not be used for any purpose other than that for which they have been provided,



nor may they be conveyed or disclosed to parties outside of the UOC's interests.