Regulations for ensuring good scientific practice and procedural rules in cases of suspected scientific misconduct

at the

UNIVERSITY OF WITTEN/HERDECKE

dated September 19, 2017

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Overview of the contents of the regulations for ensuring good scientific practice and procedural rules in cases of suspected scientific misconduct

Regulations for ensuring good scientific practice and procedural rules in cases of suspected scientific misconduct

On the basis of Section 3, Paragraph 1 of the Basic Regulations in conjunction with Section 16, Paragraph 5, Letter d of the Basic Regulations, the Senate of UW/H issued the following regulations at its meeting on September 19, 2017:

Part 1

Rules for ensuring good scientific practice

Preamble

(1) Scientific integrity and adherence to the principles of good scientific practice are indispensable prerequisites for all scientific work that aims to gain knowledge and be respected by the public. Violations of the principles of good scientific practice can take many forms, ranging from a lack of diligence in the application of scientific methods or in the documentation of data to serious scientific misconduct through deliberate falsification and fraud. In any case, such violations are incompatible with the very nature of science as a methodical and systematic research process aimed at verifiable knowledge gain. They also destroy public confidence in the reliability of scientific results and the trust among scientists themselves, which is an important prerequisite for scientific work in the division of labor that characterizes science today.

(2) Even though dishonesty in science cannot be completely prevented by regulations, appropriate precautions can ensure that all those involved in research are regularly made aware of the standards of good scientific practice. This makes a significant contribution to limiting scientific misconduct.

(3) As a university research and educational institution, Witten/Herdecke University (UW/H) attaches particular importance to compliance with the rules of good scientific practice and to communicating these rules to students, graduate students, doctoral candidates, young scientists, and all other persons entrusted with research tasks. In 1999, it therefore began implementing the recommendations of the German Research Foundation (DFG) for ensuring good scientific practice (http://www.dfg.de/download/pdf/dfg im profil/reden stellungnahmen/download/empfehlung wi ss praxis 1310.pdf): An ombudsperson was appointed as a contact person in cases of suspected violations of the principles of good scientific practice, and a commission was established to investigate such violations, with representatives from the various faculties. The regulations incorporate the DFG's recommendations for ensuring good scientific practice and are based on the rules adopted by the Max Planck Society (MPG) and the corresponding rules of procedure. The conditions of a state-recognized university under private ownership were taken into account.

§ 1 General principles of academic work

The following regulations in particular must be observed as general principles of scientific work at UW/H:

(1) Rules for everyday scientific practice: strict adherence to discipline-specific rules for the collection and selection of data, reliable backup and storage of primary data; clear and comprehensible documentation of all important results, rule of systematic skepticism, openness to doubts about one's own results or the results of one's own group, awareness of tacit axiomatic assumptions, control of wishful thinking motivated by self-interest or moral considerations, systematic attention to possible misinterpretations resulting from the methodologically limited comprehensibility of the research subject (overgeneralization).

(2) Rules of collegiality and cooperation: no obstruction of the scientific work of competitors, for example by delaying reviews or passing on scientific results that have been received in confidence. promoting the scientific qualifications of students and young researchers, openness to criticism and doubts from colleagues and employees, careful, altruistic, and unbiased assessment of colleagues, and refraining from involvement in cases of bias.

(3) Rules for the publication of results: publication of results obtained with public funds as a matter of principle (principle of openness in basic research), publication of falsified hypotheses in an appropriate manner and acknowledgment of errors (principle of a science culture open to error), strict integrity in recognizing and appropriately acknowledging the contributions of predecessors, competitors, and employees (principle of recognition).

§ 2 Cooperation and management responsibility in working groups

(1) The UW/H Executive Board and the deans of each faculty are responsible for ensuring that the organization is appropriate to guarantee that, depending on the size of the individual academic work units, the tasks of management, supervision, conflict resolution, and quality assurance are clearly assigned and that they can actually be performed.

(2) Cooperation in scientific working groups must be structured in such a way that the results achieved through a specialized division of labor can be communicated and critiqued independently of hierarchical considerations and integrated into a common body of knowledge. This is also important for the training of young scientists, doctoral candidates, and students. To this end, interdisciplinary colloquia should be held regularly in the respective faculties. The rules of good scientific practice are addressed in courses and discussed with students. The mutual review of work results must be ensured, including by making one's own results accessible. The primary test of a scientific result is its reproducibility. The more surprising, but also the more desirable a result is, the more important it is—as far as reasonably possible—to independently repeat the path to the result within the research group before it is passed on to the outside world.

(3) Leadership roles in working groups can only be performed responsibly with knowledge of all relevant circumstances; leading a working group requires expertise, presence, and an overview. Where this is no longer sufficiently possible due to the size of the group or for other reasons, leadership tasks must be delegated in such a way that the respective span of control remains manageable.

§ 3 Supervision of young academics

As a university, we are committed to the education and promotion of students and young scientists and to guiding them in the consideration of good scientific
Practice special attention. Individual faculties and institutes must ensure that students, doctoral candidates, postdocs, and other early-career researchers receive adequate support and have access to a neutral contact person. For the supervision of doctoral candidates and students, it is recommended that, in addition to the primary supervisor, supervision by at least one other experienced researcher be provided.

§ 4 Securing and storing primary data

(1) Primary data used as the basis for publications must be stored on durable and secure media for at least ten years, if possible. Access to the data must be guaranteed for authorized interested parties.

(2) Scientific investigations and experiments can only be reproduced or reconstructed if all important steps are traceable. Therefore, it is necessary to keep records with references to sources for at least ten years, if only to be able to refer back to the records if published results or conclusions are questioned by others.

(3) The faculty management shall regulate and set out in writing the details and responsibilities, in particular the requirements for proper record-keeping and the rules of access for the use of data.

§ 5 Scientific publications

(1) Publications are the most important medium for communicating research results to the scientific community and the general public. Authors use them to announce results for which they assume responsibility for their scientific reliability. Publications reporting new scientific findings must therefore describe the findings, methods, and sources used in a complete and comprehensible manner and provide complete and accurate references to their own and others' preliminary work; previously published findings should only be repeated to the extent necessary for understanding the context. Findings or sources that support or question the presented results should be communicated equally.

(2) If several authors are involved in a research project or the publication based on it, only those who have made a significant contribution to the design of the studies or experiments, the development, analysis, and interpretation of the data, and the formulation of the manuscript itself, and who have agreed to its publication, may be named as co-authors. The authors are always jointly responsible for the content; so-called "honorary authorship" is not permitted. Support from third parties must be acknowledged in the acknowledgments.

§ 6 Performance evaluation

When it comes to examinations, the awarding of academic degrees, hiring, appointments, and the evaluation of the various research units at UW/H, UW/H always prioritizes originality and quality over quantity. This also applies to performance-based funding allocation to UW/H institutions.

Part 2

Scientific misconduct

§ 7 Personal misconduct

(1) Scientific misconduct occurs when false statements are made deliberately or through gross negligence in a context relevant to science, when the intellectual property of others is infringed, or when their research activities are otherwise impaired. The following, in particular, are considered misconduct:

a) False statements:

- the invention of data;

- Falsification of data (e.g., by selecting and rejecting undesirable results without disclosing this; by manipulating a representation or illustration)

- Incorrect information in an application letter or grant application (including false information about the publication organ and publications in press).

b) Infringement of intellectual property:

(i) With regard to a copyrighted work created by another person or essential scientific findings, hypotheses, teachings, or research approaches originating from others:

- unauthorized use while claiming authorship (plagiarism),

- the exploitation of research approaches and ideas, in particular as a reviewer (idea theft),

- the presumption or unfounded assumption of scientific authorship or co-authorship,

- the falsification of content

- the unauthorized publication and unauthorized disclosure to third parties, as long as the work, findings, hypothesis, theory, or research approach has not yet been published;

(ii) claiming the (co-)authorship of another person without their consent.

c) Impairment of the research activities of others:

the manipulation of research activities (including damaging, destroying, or manipulating experimental setups, equipment, documents, hardware, software, chemicals, or other items that another person needs to conduct scientific research).

§ 8 Joint responsibility for the misconduct of others

(1) Joint responsibility may arise, among other things, from

a) active participation in the misconduct of others,

b) knowledge of falsifications by others,

c) co-authorship of publications containing falsifications,

d) gross negligence of supervisory duties.

(2) The circumstances of each individual case are ultimately decisive.

Part 3

Procedures for dealing with scientific misconduct

§ 9 Jurisdiction

The UWH will investigate every specific suspicion of scientific misconduct. If, after clarification of the facts, the suspicion of misconduct is confirmed, the Presidium shall take the appropriate measures in each individual case within the scope of the available options.

§ 10 Ombudsperson

(1) Upon the recommendation of the Executive Board, the Senate shall appoint an ombudsperson and a deputy ombudsperson. The ombudsperson's primary task is to serve as a confidential contact and advisor in cases of suspected violations of the principles of good scientific practice. Those who find themselves suspected of scientific misconduct may also contact the ombudsperson.

(2) A professor with a permanent position is appointed as ombudsperson. The appointment is for a term of three years with the possibility of reappointment. The same applies to the appointment of the deputy, who takes the place of the ombudsperson in the event of bias or incapacity.

(3) If the ombudsperson receives indications of scientific misconduct, they shall examine the facts of the case. They shall examine the allegations from the point of view of plausibility and also the possibilities for clearing up the allegations. If the ombudsperson concludes that there is sufficient suspicion of scientific misconduct, they shall notify the commission in accordance with § 11. If, in the opinion of the ombudsperson, there is insufficient suspicion of scientific misconduct, no further steps shall be taken, in particular no information shall be provided to superiors.

(4) The necessary steps shall be taken without delay.

§ **11 Commission**

(1) The commission consists of the vice president for academic affairs, who also acts as spokesperson, and the deans of the university. The dean may delegate membership of the commission to a vice dean in his or her faculty. The commission is supported in the performance of its duties by the university administration.

(2) The commission is authorized to take all steps necessary to clarify the facts of the matter. To this end, it may obtain all necessary information and statements and, in individual cases, also consult experts from the relevant scientific field. The ombudsperson participates in the meetings in an advisory capacity.

(3) The commission deliberates in closed oral proceedings. It examines whether scientific misconduct has occurred, freely evaluating the evidence. The UWH institution affected by the misconduct must be given an appropriate opportunity to comment.

(4) The person concerned shall be informed of the incriminating facts and, if applicable, the evidence.

(5) Both the person concerned and the informant shall be given the opportunity to make oral statements.

(6) If the identity of the informant is not known to the person concerned, this must be disclosed to them if this information appears necessary for the proper defense of the person concerned, in particular because the credibility of the informant is of significant importance for the determination of misconduct.

§ 12 Final recommendation of the commission

(1) If the commission considers scientific misconduct to have been proven, it shall also discuss possible further action, in particular the possible consequences. In addition to consequences under labor law, academic, civil, or criminal consequences may also be considered.

(2) The Commission shall report to the Presidium on the results of the investigation and submit a recommendation for a decision. If the Commission considers misconduct to have been proven, it shall also draw up a proposal for further action by the Presidium.

§ 13 Decision of the Presidium

(1) On the basis of the commission's report and recommendation, the Presidium shall decide whether to discontinue the proceedings or whether scientific misconduct has been proven. In the latter case, the Presidium shall also decide on further action. § 12, para. 1, sentence 2 shall apply accordingly.

(2) The person concerned and the informant shall be informed of the decision of the Presidium. The main reasons for the decision shall also be communicated.

§ 14 Replacement of previous regulations

These regulations replace the previous rules for ensuring good scientific practice and the previous rules of procedure for suspected scientific misconduct at UW/H.

Issued on the basis of the Senate resolution of September 19, 2017.

Witten, September 19, 2017

Prof. Dr. Martina Piefke
Chair of the Senate of UW/H

Prof. Dr. Martin Butzlaff
President of UW/H