

At its meeting on 15.07.2015, the Senate of Gottfried Wilhelm Leibniz Universität Hannover approved the following regulations for safeguarding good scientific practice at Gottfried Wilhelm Leibniz Universität Hannover. These regulations shall come into force on the day subsequent to publication in the Official Bulletin of Gottfried Wilhelm Leibniz Universität Hannover.

## **Gottfried Wilhelm Leibniz Universität Hannover Regulations for Safeguarding Good Scientific Practice**

### **Preamble**

The purpose of the regulations of Gottfried Wilhelm Leibniz Universität Hannover for safeguarding good scientific practice is to prevent scientific misconduct and to establish good scientific practice. For this reason, regulations for safeguarding good scientific practice at Gottfried Wilhelm Leibniz Universität Hannover have been established. Furthermore, the regulations provide suitable instruments for investigating and evaluating suspected scientific misconduct by its members and associates in research and teaching, as well as regulating procedures in cases of suspected scientific misconduct.

### **Part One: Regulations for Good Scientific Practice for Members and Associates of Gottfried Wilhelm Leibniz Universität Hannover**

#### **Section 1 - Regulations for Good Scientific Practice**

Members and associates of Gottfried Wilhelm Leibniz Universität Hannover shall observe the regulations for good scientific practice. In particular, these include:

- observing professional standards,
- documenting results,
- consistently questioning one's own findings,
- practising strict honesty with regard to the contributions of partners, competitors, and predecessors, and
- observing the regulations described below.

#### **Section 2 - Cooperation and Leadership Responsibility in Work-Groups**

Where several persons work jointly on scientific issues, the group leader shall be responsible for appropriate organisation, ensuring that the tasks of leadership, supervision, conflict management, and quality control are clearly assigned and actually performed.

#### **Section 3 - Supervision of Junior Scientists**

(1) Supervisors of junior scientists shall be responsible to ensure appropriate support is provided to graduates, doctoral candidates and students. A senior partner should be assigned for each individual to impart the basic principles of safeguarding good scientific practice at the university.

(2) As far as doctoral candidates are concerned, the Senate and Presidential Board of Gottfried Wilhelm Leibniz Universität Hannover have approved "Guidelines for Good Supervision of Doctoral Candidates". These guidelines are intended to ensure transparent structuring of the doctoral phase and to provide reliability with regard to the conditions and aims of successful doctoral study from the point of view of all concerned parties (i.e. doctoral candidates and supervisors). These guidelines form the basis for the supervision of junior scientists at Gottfried Wilhelm Leibniz Universität Hannover.

#### **Section 4 - Performance Evaluation Criteria**

Originality and quality always take precedence over quantity as performance evaluation criteria for examinations, award of academic degrees, career advancement, appointments, and allocation of resources.

#### **Section 5 - Safeguarding and Storing Primary Data**

Primary data to be used as the basis for publications shall be stored for ten years in a durable and secure form in the institution, from which it originated. Whenever possible, preparations with which primary data were obtained shall be stored for the same period of time.

## **Section 6 - Scientific Publications**

Authors of scientific publications are always jointly responsible for their content. An author is someone who has made a significant contribution to a scientific publication. A so-called “honorary authorship” is excluded.

### **Part Two Dealing with Allegations of Scientific Misconduct**

## **Section 7 - Scientific Misconduct**

Scientific misconduct is considered to be deliberate or grossly negligent behaviour, especially in the following cases:

1. Creation and use of false information
  - through fabrication of data,
  - through falsification of data, e.g. through incomplete use of data and non-consideration of undesirable results without indication of such action, as well as through manipulation of graphics or illustrations,
  - through false information in a letter of application, funding proposal or publication (incl. false information concerning the publishing entity and publications in the process of being printed, cooperations, etc.).
2. Violation of intellectual property rights concerning copyright-protected work produced by another person or significant scientific findings, interpretations, hypotheses, teachings, or research approaches originating from others, and in particular through
  - unauthorised use by claiming authorship, using false or incomplete source information, and the reproduction of literal quotations without identifying them (plagiarism),
  - exploitation of the research approaches and ideas of others, especially as a reviewer (theft of ideas),
  - claiming scientific authorship or co-authorship, or unjustified acceptance of scientific co-authorship,
  - unauthorised publication and unauthorised disclosure to third parties, whilst the work, discovery, interpretation, hypothesis, teaching or research approach has not been published,
  - claiming the (co-)authorship of a person without their consent.
3. Elimination of primary data, wherever this violates legal regulations or recognised principles of scientific work specific to the particular discipline.
4. Encroaching on the scientific activities of others, for example by sabotaging research work (including damaging, destroying or manipulating literature, archive and source material, experimental configurations, equipment, documentation, hardware, software, chemicals or other items required by others to pursue their research).
5. Ending collaboration in research projects without sufficient reason, or preventing the publication of research findings as a co-author without significant reason.
6. Deliberately false or non-proven allegations of scientific misconduct contrary to the principle that scientific misconduct must be reported in good faith.

## **Section 8 - Dealing with Scientific Misconduct**

(1) Gottfried Wilhelm Leibniz Universität Hannover will pursue each definite suspicion of scientific misconduct. If an examination of the situation confirms the suspicion of misconduct, appropriate measures using all available resources will be taken.

(2) Under these regulations, the Presidential Board can also instruct the Commission of Inquiry to conduct these procedures if they entail examining the withdrawal or revocation of honours and distinctions according to the code of ethics, the constitution, or the doctoral and habilitation regulations of Gottfried Wilhelm Leibniz Universität Hannover. Section 11, section 12 paragraphs 1 to 4, 7, 8, and section 13 shall apply accordingly.

(3) Researchers who suspect scientific misconduct by a member or associate of Gottfried Wilhelm Leibniz Universität Hannover and can provide specific information (informants) may not suffer any disadvantage in their own scientific and professional development. The ombudsperson, his/her deputies, members of the Commission of Inquiry and the institutions that examine a suspicion must

protect informants in an appropriate manner. Information must be provided "in good faith".

(4) Other measures for dealing with scientific misconduct governed by legal or statutory provisions are not excluded by those implemented under these regulations.

### **Section 9 - Ombudsperson**

(1) Based on the recommendation of the University Management, the Senate will appoint an experienced person from the group of professors to act as a mediator (ombudsperson) in questions concerning good scientific practice and suspected scientific misconduct for a period of four years. Similarly, for the same period of time two deputy ombudspersons will be appointed, one of whom may belong to the university's research staff. At least one of the three ombudspersons should be female; at least one further ombudsperson should be male. Re-appointment may only occur once. The duties of the ombudsperson and his/her deputies may not be carried out by members of the Presidential Board or members of the Deans' Offices.

(2) Where there is a suspected case of scientific misconduct, university members and associates should contact the ombudsperson or his/her deputies who, of their own accord, will also act upon relevant evidence when so informed by third parties. The ombudsperson, who was informed, will assess the plausibility of the allegations with respect to concreteness and significance, possible motives, as well as the possibility to dispel allegations. If the suspicion is substantiated, the ombudsperson informed will, after consulting the two other ombudspersons, notify the Commission of Inquiry as set out in section 10, whilst maintaining strict confidentiality for the protection of the informant and of the person accused of misconduct. In cases of possible conflict of interest for the ombudspersons, section 11 paragraph 3 shall also apply.

(3) If one of the ombudspersons has been informed of suspected scientific misconduct by an associate or member of the university, the informant shall be notified of the transfer of the case to the Commission of Inquiry by its chairperson, according to section 9 paragraph 2, or of the dismissal of the proceedings by the ombudsperson. If the proceedings are dismissed, the informant shall be at liberty to contact a member of the University Management, who in turn may involve the Commission of Inquiry.

### **Section 10 - Commission of Inquiry**

(1) Based on the recommendation of the University Management, the Senate will appoint the members of the Commission of Inquiry. This is made up of three members from the group of professors and one member from the research staff group. At least one of the Commission members should be female; at least one further member should be male. A personal representative will be appointed for each member. The members shall complete a term of office of four years, with the possibility of re-appointment.

(2) The members of the Commission of Inquiry shall select a chairperson among themselves. The chairperson shall represent the Commission of Inquiry publicly.

(3) The ombudsperson dealing with the case shall act as an advisory member of the Commission in cases of scientific misconduct.

(4) According to section 11 paragraph 3, members of the Commission of Inquiry affected by conflict of interest shall not participate in the discussions and decisions of the Commission, and shall be substituted completely by their respective personal representative. Conflict of interest will be determined by the Commission of Inquiry.

(5) The Commission may call in further persons with expert knowledge in the field of the scientific issue under investigation, or persons with experience in dealing with relevant procedures, as members with an advisory vote.

### **Section 11 - General Procedural Regulations**

(1) Meetings of the Commission of Inquiry shall not be open to the public.

(2) Decisions of the Commission of Inquiry shall be passed by a simple majority.

(3) Conflict of interest on the part of a member of the Commission of Inquiry may occur in and beyond the circumstances stated in sections 20 and 21 of the German Administrative Procedures Act (VwVfG), in particular if the Commission member and the person accused of scientific misconduct belong to the same faculty or work together on joint research projects.

(4) The Commission of Inquiry is entitled to take all steps necessary to resolve the issue. For this, the Commission may gather all relevant information and statements and, in individual cases, also involve the Equal Opportunities Officer, as well as experts from the scientific field in question.

(5) The person concerned must be informed of incriminating facts and any evidence, unless the preliminary examination is to be terminated on the basis of the records, as set out in section 12

paragraph 1 sentence 3.

(6) Both the person accused and the informant must be given the opportunity to give oral statements. Both of them may call in a trusted person for support. The Commission of Inquiry can allow a written statement in lieu of a personal hearing of the informant.

(7) Where the identity of the informant is not known to the person accused, this shall be revealed if deemed necessary for the appropriate defence of the person accused, especially if the credibility of the informant is of vital importance for establishing misconduct. This shall be decided by the Commission.

(8) The Commission of Inquiry shall duly make decisions at its discretion, in due consideration of the facts ascertained and the evidence collected.

(9) The investigation procedure consists of a preliminary examination and a formal investigation.

### **Section 12 - Preliminary Examination Procedure**

(1) Once an ombudsperson has informed the Commission of Inquiry of a specific case of suspected scientific misconduct, the person concerned is given the opportunity to comment on the issue. The period for comment is usually two weeks. The opportunity to comment can be waived if the Commission of Inquiry deems that, on the basis of the records, no formal investigation is to be initiated. Incriminating and exonerating facts and evidence must be recorded in written form.

(2) Upon receipt of the statement from the person accused or expiration of the deadline, the Commission of Inquiry shall decide within a reasonable period of time whether the preliminary examination should be dismissed – either due to lack of sufficient evidence or other reasons – or whether a formal investigation should be initiated. The person accused – provided they have been granted the right to comment as set out in paragraph 1 – and the informant shall be informed of the main reasons for this decision.

(3) The outcome of the preliminary examination will be communicated to the University Management by the Commission of Inquiry.

### **Section 13 - Formal Investigation Procedure**

(1) If misconduct is not found to be proven by the Commission of Inquiry, proceedings will be dismissed. Proceedings may also be dismissed for other reasons. If misconduct is found to be proven by the Commission of Inquiry, the result of its investigations shall be submitted to the University Management with a recommendation for further proceedings – also in view of the protection of the rights of others – concerning the decision and further action. If the person concerned has not already been heard during the preliminary examination, they shall be granted the opportunity to comment before a decision is made on whether misconduct occurred or not. The period for comment is usually two weeks.

(2) The University Management shall decide on the consequences arising from scientific misconduct ascertained by the Commission of Inquiry and shall take the necessary measures for their implementation. The University Management shall inform the chairperson of the Commission of Inquiry within a reasonable period of the implemented measures.

(3) The main reasons for terminating proceedings or forwarding the matter to the University Management must be communicated to the person concerned and to the informant in writing.

(4) At the end of a formal investigation, the ombudsperson informed shall identify all persons who are or have been affected by the case. The ombudsperson shall counsel those persons who have become involved in proceedings concerning scientific misconduct through no fault of their own, with respect to protecting their personal and scientific integrity.

## **Part Three: Final Provisions**

### **Section 14 - Entry into Force and final provisions**

(1) These regulations shall come into force on the day subsequent to publication in the Official Bulletin of Gottfried Wilhelm Leibniz Universität Hannover. They shall replace the previous Guidelines for Safeguarding Good Scientific Practice of Gottfried Wilhelm Leibniz Universität Hannover dated 14.08.2014.

(2) This document is a translation and is provided for information purposes only. In the event of any inconsistency between the German version and the English version, only the German version shall apply.