English Handout Explaining Rules for Safeguarding Good Scientific Practice at Senckenberg Research Institutes

Foreword

1. The German Research Foundation appointed an international commission with the mandate to draw up recommendations for safeguarding good scientific practice. The recommendations approved on December 19th, 1997 were published in January 1998 (http://www.dfg.de/foerderung/grundlagen_rahmenbedingungen/gwp/index.html). The SGN follows the statements made in the recommendations without reservation and considers them to be binding in terms of defining good scientific practice. Disputes and conduct reviews shall be based on the rules. This applies particularly to statements on performance evaluation (Recommendation 6) and authorship of publications (Recommendation 11). A non-repetition of these principles and further details in the rules may not lead to the conclusion of their ineffectiveness for the SGN. The following rules contain the necessary specifications for the SGN and its research institutes.

2. Since enactment of these rules, including the DFG recommendations, their content is part of the service regulations and thus binding for all employees. Violations may be deemed as misconduct and may be sanctioned according to all applicable employment laws . Further academic honor processes remain unaffected and will depend on the use of the relevant universities and responsible authorities.

3. The fields of Taxonomy and Systematics, which make up the predominant part of the research activities at the SGN can in principle always be inspected. In the collections of the SGN and its museums, the records for scientific publications are stored. On demand and for inspection, the objects are available to all scientists either on loan or for investigations on site, any information will be liberally granted. With this point, essential elements of the documentation requirements are already met, which otherwise can pose a problem in disciplines working experimentally or measuring.

§ 1 Organisational structures

1. Responsible for compliance with the rules of good scientific practice are the section and department directors, who are in turn to be supervised by the Board of Directors. The respective responsibilities lie with the heads of the respective organisational units, as they are defined in the service orders.

2. Particular emphasis is to be paid by the responsible on the training of young scientists on the rules of good scientific practice. The problem is to be addressed and discussed in the working groups.

§ 2 Data

1. Primary data from taxonomic work that is beyond the material of the mere collection are to be secured in an appropriate form and retained at least 10 years. Primary data in this sense are those findings that were used in a publication as a basis for further conclusions and statements (e.g. color documents, sounds, etc.).

2. Regarding non-taxonomic disciplines (Ecology, Sedimentology, etc.) all primary data that have led or could in future lead to scientific conclusions are to be kept safe for at least 10 years. This especially applies also to raw data. Statistical methods for the identification and elimination of outliers remain unaffected hereby. Relevant records referred to by this paragraph are those which would also be evaluated and at least partly published scientifically by the working groups. So, from this it does not follow the constraint to keep all, even incidentally collected and irrelevant records.

3. The respective official responsibles (Heads of Sections, Departments or working areas) are responsible for an indelible and permanently accessible backup. They must oblige their working group members accordingly and also supervise them. Special attention should be focused on exam candidates and other young professionals who may not be not able yet to plan and conduct a factual backup.

§ 3 Ombudsman

1. The ombudsman is responsible for the conciliation and mediation of disputes or disagreements associated with good scientific practice which not already contain an accusation of scientific misconduct. As a consequence of the confidential position, he/she has the right of refusing to give evidence towards the board of Directors, unless the issue has significant relevance with respect to employment laws.

2. The Ombudsman is elected among the Senckenberg scientists.

3. If clear evidence of scientific misconduct exists, the ombudsman is obliged to request the opening of a formal procedure at the Board of Directors. If he/she retained his/her knowledge from conversations with staff, who confided in him / her, he / she should encourage the informants to request the initiation of the proceeding themselves.

§ 4 Scientific misconduct

1. Scientific misconduct is defined as intentional or grossly negligent misrepresentation of facts in a scientific context, violates intellectual property rights of others or implicates impair of their research activity in any way.

2. A shared responsibility may result from, i.a. active participation and cognizance of misconduct and serious neglect of duty of supervision. A particularly serious indicator of involvement in scientific misconduct is the co-authorship of a knowingly falsified publication.

3. Each member of the institute can directly inform the Board of Directors or the Director General in case of a concrete suspicion. External information shall be forwarded to one or both of these supervisory bodies/persons. The information shall be submitted in written form. About oral information the Director General shall prepare a written statement signed by the key informant/s.

4. If a member of the management is affected, the Chairman of the Scientific Advisory Board will be informed, who then - together with the President of SGN – will take over the preliminary investigations in the case.

§ 5 Preliminary investigations

1. The facts on which the initial suspicion is based on are to be determined by a specially appointed Board member who constantly informs the Director General. In the case of § 4 section 4 the Chairman of the Scientific Advisory Board conducts the preliminary investigations and informs the President of the SGN.

2. The investigation of the facts shall be kept confidential, in this phase, the privacy rights of those affected has absolute priority over all other considerations. The identity of the informer shall not be given to the suspected without his consent.

3. The facts leading to the initial suspicion and the incriminating evidence is to bring in knowledge to the concerned person at least one week after the announcement of suspicion. An opportunity to comment must be given within 4 weeks. The statement shall be taken in the files, and if necessary, additional statements of the accuser should be obtained. While the statement period, no further accusations may be postulated unless the time limit is extended.

4. After receiving the statements of the person concerned or after the lapse of the time limit, either the Board of Directors on the request of the Director General, or the Chairman of the Scientific Advisory Board and the President of SGN, respectively, shall decide within a period of 2 weeks by mutual agreement as to whether the suspect has been invalidated or substantiated. The decision should be documented in written form and be justified with a valuation of statements and evidence. The note shall be transferred to the persons concerned, all parties shall be committed to confidentiality including information on the consequences of defamation and libel. The results oft he investigations will not be included in the personnel files of the persons concerned.

5. Against all decisions within the preliminary investigations substantiated complaint is admissible. It shall be submitted in written form to the respective head of the investigations. A complaint is substantiated only if a misjudgment based on facts and evidence or an incorrect evaluation is claimed. The time limit for appeal is 2 weeks after the announcement of the decision on the basis of the preliminary investigations.

§ 6 Committee of Inquiry

1. In the case of substantiation of the initial suspicion of scientific misconduct or any substantiated complaint against a decision of the preliminary investigations, the Director General shall assemble the Committee of Inquiry within 4 weeks. The convening of this committee may also be required by the Ombudsman, his call is to be obeyed.

2. The committee consists of the following persons: Director General (Chair), responsible Department Manager, if necessary responsible Head of Section (if an employee of the Section is concerned), Chairman of the Scientific Advisory Board. In the case of § 4 section 4 the Scientific Advisory Board assumes the role of the Committee and the President of the SGN takes the role of the chair.

3. In individual cases the Committee of Inquiry may appoint as well specialists of the respective scientific field, as well as experts for dealing with such cases, both as additional members in an advisory role.

4. The conflict of interest of a member of the Committee may at any time be asserted by himself, by the person concerned or other parties involved. Conflict of interest leads to the exclusion from the process. The Committee decides about the exclusion.

5. The Committee consults in a non-public hearing. Minutes are drawn up of its decisions that additionally hold and document all process steps. The Committee initiates further investigations and verifies in free consideration of evidence, whether scientific misconduct has occurred. The investigations and process steps, the determined facts, findings and results are disclosed to the concerned person, who may at any time inspect all documents and request information. The concerned person must be given the opportunity to comment at any stage of the proceedings, as well as he may be assisted by a person of his confidence as a counsel. The hearing of other persons is permitted.

6. All parties shall to respect both the confidentiality of the documents of the Committee and the findings from the process.

7. The results of the investigations of the Committee will be communicated to the concerned person in written form and provide the basis for further steps of the Director General and the SGN. Substantial basis of evidence are the minutes.

8. A formal complaint process will not take place, however, the person concerned has the option to comment in written form within 2 weeks of the announcement of the results of the Committee of Inquiry to the Director General or to the President.

§ 7 Consequences

1. The Director General respectively the President decide, if necessary, in compliance with all civil and labor legislation on application of appropriate measures. They act according to reasonable discretion on the basis of the report

of the Committee of Inquiry and on the available statements of the concerned persons.

2. Scientific publications that are erroneous due to proven scientific misconduct are to be withdrawn, if they are unpublished, and to be corrected, if they have already been published (revocation). Cooperation partners are - where necessary – to be informed, when appropriate. Basically, the author(s) and publishers involved are obliged to the mentioned procedure; however, if they are not acting in a reasonable time, the responsible member of the Board of Directors initiates appropriate and reasonable measures.

3. In serious cases of scientific misconduct, the Director General shall inform other concerned research institutions and research organizations, as well as professional associations, where appropriate.

4. In order to protect third parties, to maintain confidence in the scientific integrity, to restore the reputation of its scientific institutions, to prevent consequential damages, as well as to act along the general public interest, the SGN decides to inform concerned parties as well as the public. On such measures, the Board of Directors discusses and decides after consulting the Executive Committee (Präsidium) of the SGN.