

Recommendations of the
14th General Meeting of
the German Rectors'
Conference (HRK)
on 14 May 2013
in Nuremberg

**Good scientific practice
at German higher
education institutions**

HRK German Rectors' Conference

The Voice of the Universities

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I. Introduction

Scientific practice rests on basic principles of methodical, systematic and verifiable conduct that are equally valid in all disciplines, nations and cultures. The first amongst these is honesty towards oneself and towards others. Higher education institutions (HEIs) are responsible for quality assurance and for defining their own inherent objective necessities based on the recommendations issued by the *Deutsche Forschungsgemeinschaft* (German Research Foundation – DFG) and the German Rectors' Conference (HRK) in 1998¹. All HEIs have established guidelines in accordance with the DFG recommendations. In continuing and expanding upon these recommendations, a number of participants in the academic system have refined the standardised rules for good scientific practice².

¹ "Zum Umgang mit wissenschaftlichem Fehlverhalten in den Hochschulen" (Dealing with Scientific Misconduct at Higher Education Institutions), recommendation of the 185th Plenary Assembly of the HRK on 6 July 1998; "Proposals for Safeguarding Good Scientific Practice: Recommendations of the Commission on Professional Self Regulation in Science", DFG 1998; supplement to "Proposals for Safeguarding Good Scientific Practice: Recommendations of the Commission on Professional Self Regulation in Science", approved by the Senate of the DFG on 14 March 2013, proposed resolution of the General Meeting of the DFG on 1 July 2013.

² Some recent illustrative examples are: "Anforderungen an die Qualitätssicherung der Promotion" (Quality Assurance Requirements in Doctoral Studies), policy document of the German Council of Science and Humanities, 2011; "Quality Assurance in Doctoral Examination Procedures", recommendation of the HRK Executive Board to higher education institutions entitled to confer doctoral degrees, 2012; "Grundsätze guter wissenschaftlicher Praxis in Promotionsverfahren" (Basic Principles of Good Scientific Practice in Doctoral Examination Procedures), GermanU15 – Paper 04/2013; "Gute wissenschaftliche Praxis für das Verfassen wissenschaftlicher Qualifikationsarbeiten" (Good Scientific Practice for Writing Scientific Dissertations), joint policy document of the Allgemeiner Fakultätentag (General Faculty Association), the Fakultätentage (Faculty Associations) and the German Association of University Professors and Lecturers dated 9 July 2012; "Leitsätze Gute wissenschaftliche Praxis im Öffentlichen Recht" (Guidelines for Good Scientific Practice in Public Law), Vereinigung der Deutschen Staatsrechtslehrer e.V. (Association for Professors in German Constitutional Law), dated 3 October 2012

The HRK recognises the need to identify the most important points relating to good scientific practice in the current recommendations. These include:

1. Ombudsman system at HEIs
2. Quality assurance in promoting early career researchers
3. Academic integrity in relation to intellectual property
4. Establishing the truth – without manipulating data
5. Performance evaluations and quality of assessments

II. Recommendations

1. Ombudsman system at HEIs

To safeguard good scientific practice, a self-regulation (ombudsman) system has been established in the German academic system. HEIs are to have independent ombudspersons (each HEI is recommended to have an ombudsman board consisting of at least three people) to which their members can turn on matters of good scientific practice and in the event of suspected misconduct (prevention and mediation). HEIs are responsible for making sure that ombudspersons receive the best possible training and that the entire institution is aware of their role. The HEIs are aware that, in the interests of all involved, this process should be subject to extreme stringency and conducted within a manageable timeframe (see DFG, *“Safeguarding Good Scientific Practice”*, Recommendation 5; HRK – Recommendation *“Zum Umgang mit wissenschaftlichem Fehlverhalten in den Hochschulen”* (Dealing with Scientific Misconduct at Higher Education Institutions), C. II., see footnote 1).

To protect ‘whistle blowers’ and those affected, the work of ombudspersons is strictly confidential. Confidentiality cannot be assured if the whistle blower makes their suspicions public. In such cases, the whistle blowers themselves often violate the rules of good scientific practice. This also applies to the careless handling of allegations of scientific misconduct and to deliberately making false allegations (see planned supplement to DFG, *“Safeguarding Good Scientific Practice”*, Recommendation 17, see footnote 1).

Should the preliminary investigation by the ombudsman board confirm the suspicion of scientific misconduct, the proceedings will be passed on to a commission for examining scientific misconduct that will undertake a formal investigation. The specific form of such commissions and of the procedure will

differ between HEIs (a reasonable and well-considered proposed procedure is given in the appendix to HRK – Recommendation *“Zum Umgang mit wissenschaftlichem Fehlverhalten in den Hochschulen” (Dealing with Scientific Misconduct at Higher Education Institutions), C. IV., see footnote 1).*

Should the commission determine scientific misconduct, the HEI management and the authority responsible in the faculty, department and/or relevant institution shall be informed of the allegations. Depending on the nature and gravity of the case, they shall initiate the proceedings with the sanctions contained therein (e.g. withdrawal of academic titles) (see HRK – Recommendation *“Zum Umgang mit wissenschaftlichem Fehlverhalten in den Hochschulen” (Dealing with Scientific Misconduct at Higher Education Institutions), C. IV.3., see footnote 1).*

2. Quality assurance in promoting early career researchers
Promoting early career researchers in academia is one of the central tasks of university lecturers. Their duty of supervision towards early career researchers includes promoting the completion of academic dissertations within an appropriate timeframe and supporting further professional development. Transparent, subject-specific supervision concepts should be the norm for the awarding of doctoral degrees at all HEIs (see DFG, *“Safeguarding Good Scientific Practice”, Recommendation 4, see footnote 1).*

3. Academic integrity in relation to intellectual property
To be listed as an author of an academic publication, a person must have contributed significantly to the work. All authors are responsible for the content of the publication, which rules out “honorary authorships”. Publications and dissertations require the proper and correct research and quotation of the work and texts of others. Using texts, ideas or data without clearly acknowledging the original author is plagiarism and violates the rules of good scientific practice (see DFG, *“Safeguarding Good Scientific Practice”, Recommendation 11, see footnote 1).*

4. No data manipulation
In academia, establishing the truth requires, in particular, a systematic willingness to question findings, the precise documentation of data and sources, and maximum transparency in the data collection methods used. It does not permit the manipulation of data. All those involved bear

responsibility for the quality of data. Consciously 'overlooking' dishonesty in the use of data and texts itself constitutes scientific misconduct.

All academics are obliged to document data in full. Data should be stored for at least 10 years. Appropriate, substantial electronic data storage must be made available at HEIs. The setup of such an information infrastructure is an ambitious goal for which HEIs must receive financial support (see DFG, *"Safeguarding Good Scientific Practice"*, Recommendation 7, see footnote 1).

5. Performance evaluations and quality of assessments
The criteria for evaluating performance must refer to qualitative parameters and be rendered transparent. To ensure the quality of assessments, reviewers must be independent and impartial. This applies to dissertations and appeals procedures, in particular.

**"Zum Umgang mit wissenschaftlichem Fehlverhalten in den Hochschulen" (Dealing with Scientific Misconduct at Higher Education Institutions)
Recommendation of the 185th Plenary Assembly of the HRK on 6 July 1998**

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C. Recommendations

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IV. Procedures

1. Preliminary investigation

a. If there are concrete grounds to suspect scientific misconduct, the ombudsman and, if applicable, a member of the abovementioned commission is usually informed immediately. This information should be provided in writing; if the information is conveyed verbally, the suspicion must be noted in writing along with the substantiating evidence received.

b. The ombudsman communicates allegations of scientific misconduct while maintaining confidentiality to protect the informant and the members of the commission appointed by the HEI management to investigate the case.

c. The commission shall immediately give the person suspected of misconduct the opportunity to make a statement

having specified the incriminating facts and evidence. Letter a) sentence 2 shall apply accordingly. Person(s) under suspicion shall be given two weeks to respond. During this time, the name of the informant shall not be disclosed to the person(s) under suspicion without his or her consent.

d. Once a response has been received from the person(s) under suspicion or once the two weeks have elapsed, the commission shall decide within two weeks whether the preliminary proceedings are to be closed due to insufficient evidence or because the suspected misconduct has been clarified in full, or whether a formal investigation is to be launched. The reasons for this decision shall be communicated to both the informant and the person(s) under suspicion.

e. If the informant does not concur with the opinion of the preliminary investigation, they have two weeks in which to address the commission, who will review their decision once more.

2. Formal investigation

a. The HEI management shall be informed by the commission when a formal investigation is launched.

b. The commission can, at its discretion, call in experts from a subject area in which the matter is to be investigated as well as persons who specialise in dealing with such cases. These people shall join the commission in an advisory capacity and may also include arbitration advisors.

c. The deliberations of the commission are to be held orally and in private. They shall freely appraise the evidence to determine whether scientific misconduct has indeed occurred. The academic accused of said misconduct is to be given appropriate opportunity to make a statement. If they so desire, they may give their statement orally, and may be supported by a person in whom they trust. This also applies to all other persons appearing before the commission.

d. It may prove necessary to disclose the name of the informant if required for the person under suspicion to mount a proper defence, for example if the informant's credibility and motives for alleging possible misconduct are to be examined.

e. Should the commission decide that misconduct has not been proven, proceedings will be terminated. If the commission deems misconduct to have been proven, they shall present their findings to the HEI management with suggestions for further action (including recommendations on

protecting the rights of others) for deliberation and further consideration. Otherwise, the proceedings will be closed.

f. The person under suspicion and the informant shall be informed immediately in writing of the significant reasons for closing the proceedings or for referring the case to the HEI management.

g. There is no internal procedure for appealing against the commission's decision.

h. At the end of a formal investigation, the ombudsman identifies all persons who are (were) involved in the case. They advise these people – particularly early career researchers and students who were involved in acts of scientific misconduct through no fault of their own – on how to safeguard their personal and academic integrity.

i. The records of the formal investigation will be retained for 30 years. Persons named in connection with a case of scientific misconduct are entitled to request notification from the ombudsman regarding the period of time for which the documents will be retained (on their exoneration).

3. Further proceedings

a. If scientific misconduct has been established, the HEI management shall examine whether further measures are required to safeguard academic standards at the HEI as well as the rights of all those directly and indirectly affected. The penalty for scientific misconduct depends on the circumstances.

b. The academic consequences, for example the withdrawal of academic titles or the authorisation to teach, are to be investigated in the individual faculties of the HEI. The faculties shall work with the HEI management to determine whether and to what extent other academics (both former and potential collaboration partners, co-authors), scientific institutions, academic journals and publishers (in the case of publications), funding institutions and scientific organizations, professional associations, ministries and the public should or must be informed.

c. Depending on the details of the case, the bodies or institutions responsible initiate employment law, civil law, criminal law or administrative measures by means of the appropriate procedures.

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