

At its meeting on 15.07.2015, the Senate of Gottfried Wilhelm Leibniz Universität Hannover approved the following regulations of Gottfried Wilhelm Leibniz Universität Hannover for safeguarding good scientific practice. They come into force on the day after publication within the university in the Official Notices 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. First of all, rules for safeguarding good scientific practice at Gottfried Wilhelm Leibniz Universität Hannover are established. In a second step, the regulations provide suitable instruments for investigating and evaluating suspected scientific misconduct by its members and associates in research and teaching, and regulate procedures in cases of suspected scientific misconduct.

Section One: Rules of Good Scientific Practice for Members and Associates of Gottfried Wilhelm Leibniz Universität Hannover

§ 1 Rules of Good Scientific Practice

Members and associates of Gottfried Wilhelm Leibniz Universität Hannover shall observe the Rules of Good Scientific Practice. These include in particular:

- 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 rules described below.

§ 2 Cooperation and Leadership Responsibility in Working Groups

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

§ 3 Supervision of Young Scientists

- (1) Supervisors of young scientists are responsible for providing appropriate support to graduates, doctoral candidates, and students. For each of them there must be a senior partner 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 a good supervision of PhD candidates". These guidelines are intended to ensure a transparent structuring of the doctoral phase and to provide reliability as regards the conditions and aims of successful doctoral study from the point of view of all concerned (i.e. PhD candidates and supervisors). They form the basis of the supervision of young scientists at Leibniz Universität Hannover.

§ 4 Performance Evaluation Criteria

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

§ 5 Safeguarding and Storing of Primary Data

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

§ 6 Scientific Publications

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

Section Two Dealing with Allegations of Scientific Misconduct

§ 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 revealing such behaviour, as well as through manipulation of graphics or illustrations,
 - through false information in a letter of application, funding proposal or publication (incl. false information on the publication medium and on publications about to be printed, on cooperations etc.).
2. Violation of intellectual property rights concerning copyright 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 material, and the reproduction of literal quotations without identifying them (plagiarism),
 - exploitation of research approaches and ideas of others, especially as a referee (theft of ideas),
 - arrogation of scientific authorship or co-authorship, or unjustified acceptance of scientific co-authorship,
 - unauthorised publication and unauthorised disclosure to third parties, as long as the work, discovery, interpretation, hypothesis, teaching or research approach has not been published,
 - claiming the (co-)authorship of a person without the latter's 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, e.g. 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 compelling reason.
6. Deliberately false or non-proven allegations of scientific misconduct against the principle that the reporting of scientific misconduct must be in good faith.

§ 8 Procedures for Dealing with Scientific Misconduct

- (1) Leibniz Universität Hannover will follow up 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 follow these procedures by examining the withdrawal or revocation of honours and distinctions according to the code of ethics, constitution, or PhD and habilitation regulations of Gottfried Wilhelm Leibniz Universität Hannover. § 11, § 12 paragraphs 1 to 4, 7, 8, and § 13 apply accordingly.
- (3) Researchers who suspect scientific misconduct by a member or associate of Leibniz Universität Hannover and can provide specific information (whistleblowers) must not suffer any disadvantage in their own scientific and professional development. The ombudsperson, his/her deputies, members of the Commission of Inquiry and also the institutions examining a suspicion must protect them in an appropriate manner. The information must be provided "in good faith".

- (4) Other procedures for dealing with scientific misconduct governed by legal or statutory provisions are not excluded by the Procedures for Dealing with Scientific Misconduct carried out under these regulations.

§ 9 Ombudsperson

(1) On a proposal from the University Management, the Senate will appoint an experienced person from the group of professors to act as a mediator (ombudsperson) in questions of 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 Leibniz Universität research staff group. At least one of the three ombudspersons should be female; at least one further ombudsperson should be male. A once-only re-appointment is admissible. The duties of the ombudsperson and his/her deputies are not to 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 has been addressed will scrutinize the allegations under plausibility aspects as to concreteness and importance, possible motives, and also for possible removal of allegations. If the suspicion is substantiated, the ombudsperson addressed will, after consulting the two other ombudspersons, inform the Commission of Inquiry under § 10 and observing 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, § 11 (3) is to be applied analogously.

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

§ 10 Commission of Inquiry

(1) On a proposal from 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. For each member, a personal substitute member is appointed. The members' term of office is four years, re-appointment is admissible.

(2) The members of the Commission of Inquiry select a chairperson from among themselves. The chairperson represents the Commission of Inquiry in public.

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

(4) Members of the Commission of Inquiry prejudiced according to § 11 (3) will not participate in the discussions and decisions of the Commission, and their respective personal substitute member will stand in for them completely. Conflict of interest will be determined by the Commission of Inquiry.

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

§ 11 General Procedural Rules

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

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

(3) Members of the Commission of Inquiry may be subject to conflict of interest above and beyond cases subject to §§ 20 and 21 VwVfG, in particular when the Commission member and the person alleged to have committed scientific misconduct belong to the same faculty or work together in joint research projects.

(4) The Commission of Inquiry is entitled to take all steps necessary to clarify the facts. To this end, 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 procedure is to be ended on the basis of the records according to § 12 para 1

sentence 3.

(6) Both the person concerned and the informant must be given the opportunity to make oral statements. Both of them may call in a person of their trust 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 concerned, this must be revealed if it is deemed necessary for the appropriate defence of the person concerned, and especially if the credibility of the informant is of vital importance for establishing misconduct. This is to be decided by the Commission.

(8) The Commission of Inquiry has the discretion to take its decisions in due consideration of the facts ascertained and the evidence collected.

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

§ 12 Preliminary Examination Procedure

(1) As soon as 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 this suspicion. The period for comment is usually two weeks. Opportunity to comment can be waived if the Commission of Inquiry deems that, on the basis of the records, no official investigation procedure is to be initiated. Incriminating and exonerating facts and evidence are to be recorded in written form.

(2) Upon receipt of the statement of the person concerned or after the deadline has passed, the Commission of Inquiry decides within a reasonable period of time whether the preliminary examination should be closed, either through lack of sufficient evidence or for other reasons, or whether a formal investigation procedure should be initiated. The person affected, insofar as they have been granted the right to comment according to (1), and the informant are to be informed of the main reasons for this decision.

(3) The result of the preliminary examination procedure is communicated to the University Management by the Commission of Inquiry.

§ 13 Formal Investigation Procedure

(1) If the Commission of Inquiry finds that misconduct is not proven, proceedings are stopped. Proceedings may also be stopped for other reasons. If the Commission of Inquiry finds that misconduct is proven, the result of its investigations are submitted to the University Management with a proposal for further proceedings, also in view of protection of the rights of others, for decision and further action. If the person or persons concerned have not already been heard during the preliminary examination, they are granted the opportunity to comment before a decision is taken on whether misconduct has occurred or not. The period for comment is usually two weeks.

(2) The University Management decides on the consequences arising from scientific misconduct ascertained by the Commission of Inquiry, and takes the necessary steps for their implementation. The University Management informs the chairperson of the Commission of Inquiry within a reasonable period of the measures it has initiated.

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

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

Section Three: Final Provisions

§ 14 Coming into Force

These regulations come into force on the day after publication within the university in the Official Notices of Gottfried Wilhelm Leibniz Universität Hannover. They replace the previous Guidelines for Safeguarding Good Scientific Practice of Leibniz Universität Hannover dated 14.08.2014.