

Rules for Good Research Practice
and Procedures in Cases of
Alleged Research Misconduct at
the Leibniz Institute for Research
on Society and Space (IRS)

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The "Rules for Good Research Practice and Procedures in Cases of Alleged Research Misconduct at the Leibniz Institute for Research on Society and Space (IRS)" were adopted by the Management Board of the IRS on 04-10-2022. They replace the rules in the version of 01-06-2018.

Disclaimer: This English translation of the "Rules for Good Research Practice and Procedures in Cases of Alleged Research Misconduct at the Leibniz Institute for Research on Society and Space (IRS)" is provided for informational purposes only. In the event that the English and the German versions permit different interpretations, the German text shall prevail.

Preamble

The IRS hereby commits itself to the "[Leibniz Code for Good Research Practice](#)" (2021) and the "[Guidelines for Good Scientific Practice in the Leibniz Association](#)" (2019). As a legally binding framework for their application, the IRS recognises the code of conduct "[Guidelines for Safeguarding Good Research Practice](#)" (2019) of the German Research Foundation (DFG).

The above regulations contain central ethical principles for research and guidelines for scientific working and form the basis for one's own scientific work and research practice.

For the IRS, these regulations are substantiated in the following with regard to the circumstances that constitute research misconduct, the ombudspersons at the IRS, their duties and their election as well as the rules of procedure in cases of alleged research misconduct at the IRS.

1 Commitment to the rules

All employees of the IRS are made aware of the rules for good research practice. Every scientific employee of the IRS is obliged to comply with them and is responsible for ensuring that his/her own conduct complies with the standards of good research practice.

The heads of Research Groups at the IRS are responsible for their respective unit.

Together with the heads of Research Areas, the Management Board of the IRS creates the basic framework for research. They are responsible for ensuring adherence to and the promotion of good research practice and its principles and standards. By presenting these rules, the Management Board fulfils its organisational responsibility.

2 Research misconduct

Not every breach of the rules for good research practice constitutes research misconduct. The possible consequences (see item 4.7) depend on the nature and severity of a potential breach.

Research misconduct occurs when, in a scientifically relevant context, a deliberate or grossly negligent misrepresentation is undertaken, the intellectual property of others is infringed and/or the scientific achievements of others are exploited without authorisation or their research activity is impaired in any other way.

Research misconduct includes in particular:

(1) Misrepresentation and misstatements

- inventing data and/or research results;
- falsifying data and/or research results;
- incorrect information in application letters, in publication lists, in funding applications or in the context of reporting obligations (including misrepresentation on the publishing organ and on forthcoming publications);
- undisclosed duplication of publication of data or texts.

(2) Infringement of intellectual property rights:

- regarding works of others that are protected by copyright or to significant scientific findings, hypotheses, theories or research approaches of others:
 - the unauthorised exploitation or other use of passages without proper acknowledgement (plagiarism);
 - the exploitation of research approaches and ideas (idea theft);
 - the unauthorised disclosure of data, theories and findings to third parties;
 - assuming or unjustifiably claiming scientific authorship or co-authorship, or refusing the same;
 - falsifying content;
 - the unauthorised publication and/or unauthorised sharing with third parties while the work, findings, hypothesis, theory or research approach has not yet been officially published;
- using another person's name as (co-)author without their permission.

(3) Interfering with the research of others, especially through

- sabotaging research activities (including damaging, destroying or manipulating records, manuscripts, equipment, hardware, software or other property needed by another to conduct their research).
- falsifying or removing, without authorisation, research data or research documents and/or the documentation of research data, insofar as this violates legal requirements or established principles of research practice, as well as is the unlawful failure to delete data (especially personal data).

(4) The deliberate pretence of having carried out or made use of quality assurance measures and methods (such as peer review).

- (5) The neglect of scientific supervisory obligations by all those responsible, especially the heads of Research Areas, of Research Groups and of projects, in a way that promotes violations of good research practice.
- (6) In addition, joint responsibility for research misconduct may arise from, among other things
 - active participation in the misconduct of others;
 - knowledge of falsifying by others;
 - co-authorship of falsified publications.

3 Ombudspersons at the IRS

With questions relating to good research practice and in cases of suspected misconduct, employees of the IRS can turn to the IRS ombudspersons. These are elected by the scientific employees of the IRS. The ombudsperson has a deputy.

The term of office of the ombudspersons is three years; re-election is permitted.

3.1 Duties of the ombudspersons

The ombudspersons exercise their office on a voluntary basis, independently and free from instruction. They receive the support and acceptance they need to carry out their duties within the IRS and additional measures might be initiated to help facilitate their work.

The ombudspersons have the following duties:

- As neutral and qualified contact persons, they advise on issues relating to good research practice and in the event of disagreements, questions and conflicts or in cases of suspected research misconduct.
- They may submit position statements to the Management Board and the heads of Research Areas of the IRS and contribute to establishing a culture of good research practice and scientific integrity at the IRS.
- They also investigate cases of alleged research misconduct when IRS scientists are involved and the cases are brought to their attention. Where possible, they contribute to solution-oriented conflict mediation.

3.2 Election of the ombudspersons

The ombudspersons are elected from among the scientific employees of the IRS and should have the personal integrity, objective power of judgement and experience, for example in management positions, required for the fulfilment of their duties. However, during their term of office, ombudspersons may not serve as members of the Management Board or heads of Research Areas of the IRS. All scientific employees of the IRS may nominate suitable candidates.

All members of staff employed on the basis of an employment contract and belonging to a Research Area, that means scientific employees or scholarship holders of the IRS, including doctoral students as well as the heads of Research Areas and the Director, are entitled to vote. Visiting scientists are not eligible to vote.

The election is to be organised by the Management Board.

The Management Board ensures that the ombudsperson and his or her deputy are announced throughout the IRS: The appointment of the ombudspersons and their contact details are published on the IRS' website, among other places.

3.3 Early election, by-election and deselection of ombudspersons

In the event of the ombudsperson leaving the IRS before her/his term of office ends, the Management Board shall organise an early election; in the event of her/his deputy leaving the IRS before her/his term of office ends, a by-election.

In the event that it no longer appears possible for an ombudsperson to reliably fulfil his/her duties in the long term or if there is no longer confidence in the ombudsperson's ability to fulfil his/her duties properly, those entitled to vote can deselect an ombudsperson by two-thirds of their votes. A deselection must be requested in writing to the Director and must include a detailed explanation of the reasons for the requested deselection. The ombudsperson in question must be granted the option of a hearing before a decision is taken.

4 Procedures in cases of non-compliance with the rules for good research practice

4.1 Cases of alleged research misconduct

In the event of concrete suspicions of research misconduct, employees of the IRS can contact the following committees:

- the IRS ombudspersons; they can also advise complainants on the appropriate committee for a possible procedure;
- the Central Ombuds Committee of the Leibniz Association or
- the national German Research Ombudsman of the DFG.

For the further proceedings the rules of the respective committee apply.

4.2 Procedural principles in cases of alleged research misconduct at the IRS

(1) The research or professional career prospects of neither the complainant nor the respondent should be disadvantaged as a result of reporting allegations of research misconduct.

- Particularly in the case of young researchers, reporting allegations of research misconduct should not lead to delays in the complainant's own qualification phase and no disadvantage should arise to the writing of final dissertations or doctoral theses. This also applies to working conditions and possible contract extensions.
- All those involved in the investigation at the IRS will respect the presumption of innocence vis-à-vis the respondent at each stage of the process when considering each case. As a matter of principle, the respondent should not experience any disadvantages resulting from the investigation of the allegation until research misconduct has been formally established.

- (2) The investigation of allegations of research misconduct must be carried out in strict confidentiality and adhere to the presumption of innocence.
 - The IRS Ombudspersons examining allegations of research misconduct and all others involved in the investigation at the IRS are committed to protecting both the complainant and the respondent at all stages of the process.
 - Should research misconduct not be proven, the complainant must continue to be protected, unless it can be proven that the allegations were made against better knowledge.
 - In particular, the ombudspersons and all other persons involved in the investigation at the IRS will keep the name of the complainant confidential and will not disclose it to third parties without the corresponding consent. Different requirements only apply if there is a legal obligation or if the respondent cannot otherwise properly defend her-/himself because, as an exception, the case concerns the identity of the complainant. Before the name of the complainant is disclosed, he/she shall be informed promptly; the complainant may decide whether to withdraw the allegation due to the impending disclosure.
 - The confidentiality of a procedure is limited if the complainant makes her/his suspicion public. The Director of the IRS will decide on a case-by-case basis how to handle the breach of confidentiality by the complainant. In this context, appealing to the Central Ombuds Committee of the Leibniz Association or the national German Research Ombudsman of the DFG is expressly not considered to be such a breach.
- (3) The procedural rules for dealing with research misconduct according to item 4.4 and following shall be applied as soon as a suspicion of research misconduct according to item 2 arises against an employee of the IRS, which cannot be clarified in direct conversation or with the usual instruments of personnel management.
- (4) The respondent as well as the complainant shall be given the opportunity to be heard at each stage of the process.
- (5) An ombudsperson or a member of the commission (see item 4.5, last indent, as well as item 4.6) may be rejected due to concerns of bias if there is a reason that could justify mistrust against her/his impartiality. The ombudspersons shall represent each other and regulate further details of their procedure independently if they are prevented from attending. If a member of the commission is biased or prevented from attending, the Director shall nominate another member.
- (6) Each step of the process is to be completed quickly as well as accurately recorded and documented.

- (7) After the conclusion of a process, all relevant documents are collected by the ombudsperson handling the respective case in a protected file on the IRS drive, which is only accessible to this ombudsperson and the Director. If other persons were involved in the process, for example as members of the commission, they make all relevant data and documents available to the ombudsperson after the conclusion of the process. All persons involved shall then destroy the relevant data and documents on their personal devices and data carriers; any printouts made shall also be securely destroyed.

The files are kept on the IRS drive for ten years. After ten years, the then appointed ombudsperson initiates their erasure by the IRS system administrators.

If a case is reopened within the ten-year period, the ombudsperson dealing with the case in question may apply to the Director for access to the files. The Director decides on the granting of access and its scope.

- (8) If, in the course of a investigation process, it emerges that it is not possible to fully resolve the allegations at the level of the IRS, or if the process is hindered by any other exceptional circumstances, the Director, upon the recommendation of the ombudsperson or the commission, shall submit the case to the Central Ombuds Committee of the Leibniz Association or to the national German Research Ombudsman of the DFG.

4.3 Evidence of research misconduct

The complainant must have objective reasons for suspecting that an infringement of the standards of good research practice may have occurred. The complainant must report in good faith. Knowingly false or malicious allegations may themselves constitute research misconduct.

If the complainant is unable to verify the facts personally, or if there are uncertainties with regard to the interpretation of the applicable rules for good research practice with regard to an observed set of circumstances, the complainant should consult one of the ombudspersons of the IRS or, if applicable, the Central Ombuds Committee of the Leibniz Association or the national German Research Ombudsman of the DFG to clarify the suspicion.

4.4 Preliminary investigation of research misconduct at the IRS

- (1) Notifications and information relating to scientific misconduct that are pertinent to an inquiry must be addressed in writing to one of the IRS ombudspersons; in the case of oral information, a written note will be prepared by the respective ombudsperson.
- (2) Disclosures made anonymously can only be investigated if the complainant provides the ombudsperson with reliable and sufficiently concrete facts. If that is the case, the ombudsperson considers an investigation.
- (3) The ombudsperson confirms receipt of the allegation to the complainant generally within one week. The ombudsperson reports to the Director of the IRS on her/his taking actions. All personal information is anonymised.

- (4) In the case of sufficiently concrete allegations and well-founded initial suspicion of misconduct, the ombudsperson conducts a preliminary investigation.
- In order to carry out this preliminary investigation, the ombudsperson shall hear at least the respondent and, if applicable, the complainant, either orally or in writing.
 - The ombudspersons of the IRS can exchange information with each other for the purpose of mutual consultation. As a rule, all personal information is anonymised.
 - The ombudsperson may consult other persons and obtain expert opinions. Persons consulted must be bound to confidentiality.
 - The ombudsperson informs the Director in writing about the result of the preliminary investigation and makes a recommendation for further action to minimise the damage.
 - This report is also to be handed over in anonymised form to the respondent and the complainant.

4.5 Conclusion of the preliminary investigation procedure

The Director will investigate the allegation based on the outcome of the Ombudsperson's preliminary investigation.

- The respondent has the right to be heard by the Director.
- The Director may also consult the complainant and other persons. Persons consulted must be bound to confidentiality.

The Director decides on the further procedure and the necessity of further measures generally within two weeks:

- If the initial suspicion has not been sufficiently confirmed, or if misleading conduct has been fully clarified, or if conciliation has been achieved, the preliminary examination is concluded without opening formal proceedings.
- In the case of correctable breaches of the rules – e.g. in the case of conflicts of interest over authorships – the possibility of an amicable solution to the conflict or breach will be sought.
- If the conflict cannot be resolved amicably or if further investigation is necessary to clarify an allegation of research misconduct, the Director shall convene a case-specific commission.

4.6 Main examination of research misconduct at the IRS

The following principles apply to the work of a commission to examine research misconduct at the IRS:

- The commission consists of three experienced scientists from at least two Research Areas and the ombudsperson of the IRS as a guest with an advisory vote. If necessary, external scientists can also be appointed as members of the commission.
- The Commission shall elect a Chairperson from among its members. The Chairperson invites to the meetings of the Commission, chairs them and implements their decisions.
- The Commission shall constitute a quorum if at least two members are present; connection by telephone or other appropriate means of communication shall be equivalent to presence in person.
- The Commission shall decide by simple majority. The Commission may consult other persons in an advisory capacity, subject to an obligation of confidentiality.
- The Commission shall organise its work in such a way as to ensure an expeditious procedure.
- The commission does not deliberate in public.

The commission takes over the results of the investigation from the ombudsperson and the Director and carries out further investigations. The commission informs the Director in writing about the result of the main investigation and makes a recommendation for further action to minimise the damage and possibly proposals for possible sanctions. This report is also to be handed over in anonymous form to the person concerned and the whistleblower.

4.7 Completion of the main audit procedure

The Director examines the recommendation of the Commission for the Punishment of Academic Misconduct and decides on the further course of action.

- If the suspicion of academic misconduct has been wrongly raised, the Director shall ensure rehabilitation in consultation with the person concerned.
- If the academic misconduct has been clearly proven by the Commission, the Director may punish it with the following sanctions, depending on the circumstances of the individual case:
 - If the person concerned is in an employment relationship with the IRS, consequences under labour law such as a warning, dismissal or termination of contract may be considered in the case of academic misconduct - depending on its severity.
 - Furthermore, civil law consequences can be considered, such as the issuing of a house ban, claims for restitution against those affected (for example with regard to stolen material) or claims for damages by the IRS or third parties.

- The person(s) concerned may be requested to withdraw or correct scientific publications (retraction) that are erroneous due to research misconduct that has been proven beyond doubt. Cooperation partners are to be informed in an appropriate form, if necessary. In principle, the author and the editors involved are obliged to do so; if they do not take action, the Director shall initiate the appropriate measures available to him/her.
- The Director may be obliged to inform affected third parties and the public in order to protect third parties, to maintain confidence in scientific honesty, to restore his/her scientific reputation, to prevent consequential damage and in the general public interest.
- In cases of serious research misconduct, the Director shall inform other research institutions or scientific organisations concerned. In justified cases, it may also be appropriate to inform professional organisations.
- If the procedure shows that the academic misconduct may result in the withdrawal of academic degrees, the case will be forwarded to the awarding university.
- In the event of criminal misconduct, the Director will report the matter to the police.

Erkner, 04-10-2022

Prof. Dr Oliver Ibert

Director of the IRS

(For the Management Board)