

Safeguarding good scientific practice and preventing malpractice in science

Resolution by the FH JOANNEUM Board on safeguarding good scientific practice and preventing malpractice in science adopted on 10 March 2014

Preamble:

Society generally places a high degree of trust in universities and their scientific integrity, which is an essential requirement for the reputation of scientists and researchers. To assume this responsibility, universities are required to specify quality criteria for good scientific practice, to adhere to existing standards, and, within their legal means, to take precautions to prevent malpractice in science and to adequately deal with proven cases of scientific malpractice.

The following guidelines are based on the principles of ethics in science and on the standards of good scientific practice. These in turn draw on standards and guidelines formulated elsewhere¹ and constitute a measure of scientific integrity for all students and staff at FH JOANNEUM. They form the basis for action at the institutional level, but in no way replace existing legal regulations and ethical standards.

FH JOANNEUM is committed to safeguarding good scientific practice in the knowledge that

- all staff and students at FH JOANNEUM are required to avoid malpractice in science in order to promote good scientific practice;
- any accusations of malpractice in science with regard to one (or several) individual(s) are viewed and treated as a highly sensitive matter;
- any discrediting due to unfounded accusations in particular must be avoided, since once an individual has been accused of malpractice it is difficult for them to fully regain credibility;
- the legitimate interests of a person accusing someone else of malpractice are safeguarded;
- the extension of responsibility beyond one's own field of activity is to be avoided as much as possible.

¹ Reference is made to:

Deutsche Forschungsgemeinschaft (1998): Proposals for Safeguarding Good Scientific Practice.

Recommendations of the Commission on Professional Self Regulation in Science. Weinheim: WILEY-VCH.

Online:

http://www.dfg.de/download/pdf/dfg_im_profil/reden_stellungnahmen/download/empfehlung_wiss_praxis_0198.pdf (19/3/2013) and

<http://www.mbwjk.rlp.de/fileadmin/Dateien/Downloads/Wissenschaft/Verfahren.pdf> (19/3/2013)

I. Basic principles of good scientific practice

All students and staff of FH JOANNEUM (as well as other contracting parties of FH JOANNEUM in teaching such as lecturers; hereinafter referred to as "person" or "persons") are obliged

- to work in keeping with professional standards, i.e. to carry out their scientific work in compliance with the legal regulations, ethical standards and in accordance with the current state of knowledge of their subject or discipline.
- to document the foundations of results and to critically examine their results; if the archiving of the data of empirical studies is not prohibited, these data are to be stored safely and in such a way that they cannot be changed or modified (e.g. as a read-only file on a data carrier of the respective institute and/or as a supplement to the Diploma or Bachelor's theses)
For clinical trials, the respective statutory retention period applies.
- to be honest with themselves and others,
- to avoid and prevent malpractice in science in their own research and, whenever possible, in their environment and
- to comply with the principles and regulations set out below.

The following constitutes malpractice in science:

Scientific malpractice is defined as the intentional misrepresentation of facts in connection with a scientific work, the violation of the intellectual property of others or compromising other people's research as part of one's own scientific activity.

I.1. The following behaviour in particular constitutes malpractice in science:

a) Misrepresentation of facts

- the fabrication of data;
- the falsification of data;
- the suppression of data.

b) Infringement of intellectual property

with regard to the work of another person protected by copyright or scientific findings, hypotheses, teachings or research approaches of another person:

- unauthorised utilisation under the pretence of authorship (plagiarism),
- the exploitation of research approaches and ideas, in particular as a reviewer (theft of ideas),
- a claim to or unjustified assumption of authorship or co-authorship of a scientific piece of work,
- the falsification of the content of a scientific work,
- the unauthorised publication of and offering third parties unauthorised access to a work, finding, hypothesis, teaching or research approach that has not yet been published.

c) Making a claim to (co-)authorship of another without their consent.

d) Sabotaging of research (including damaging, destroying or tampering with experimental set-ups, equipment, documents, hardware, software, chemicals or anything else required to conduct an experiment).

e) Deletion of primary data, insofar as this infringes legal provisions or accepted principles of scientific work in the discipline.

II. Mediation and responsibility in management positions and in teaching

II.1. Each head of a degree programme or R&D centre is responsible for the degree programme/R&D centre to be adequately organised such that the management tasks with regard to supervision, conflict management and quality assurance within the meaning of this regulation are clearly assigned and implemented.

II.2. Each supervisor of Bachelor's and Master's theses is responsible for ensuring that students are adequately supervised and are informed about the principles of safeguarding good scientific practice and the consequences of malpractice in science.

II.3. Each teaching staff member is called upon to discuss the principles of good scientific practice and the issue of malpractice in science as far as possible to create an awareness of the problem and to instil a sense of responsibility.

III. Assurance of data storage

As far as it is possible and reasonable, basic data for publications shall, without prejudice to other statutory provisions (including but not limited to the Data Protection Act as amended), be stored in accordance with the state-of-the-art in machine-readable form and protected against tampering and unauthorised access.

IV. Scientific publications

If several authors are involved in a publication, they share the responsibility for its content.

So-called honorary authorship is not permitted; this means that only a substantial contribution to the publication constitutes authorship. Online publications and the use of internet sources are subject to the same regulations as other publications and sources.

V. Commission for the safeguarding of good scientific practice

The FH Board appoints a permanent "Commission for the safeguarding of good scientific practice" (hereinafter referred to as "Commission"); the Commission is responsible for the investigation of scientific misconduct, and is convened by the Rector on request of (1) the person accused of malpractice, (2) a person who accuses another person of misconduct, and (3) a Board member.

The Commission consists of five Board members (or their representatives).

The chairperson of the Commission has to be an individual with experience in science. The chairperson of the Commission cannot be an external lecturer or a permanently employed member of staff of FH JOANNEUM; the chairperson shall be elected for a term of four years by the members of the Commission based on a suggestion made by the Rector's office in cooperation with the Austrian Agency for Research Integrity, confirmed by the Board and appointed by the Rector.

In addition, one or two external experts of the Commission can be consulted as external members with seat and voting rights; ideally, they should have a postdoctoral qualification (Habilitation). The external experts shall be appointed by the Commission by a majority vote. In the case of legitimate concerns, however, the entire Board can be involved to confirm external experts or appoint other external experts by resolution. The Commission can consult informants and other experts. These do not have the right of petition or voting rights.

In the event of a tie, the chairperson shall have the casting vote. The Rector can request the chairperson to provide information about the status of the procedure at any time.

An involved person is one accused of malpractice or one accusing another person of malpractice.

V.1. Procedural principles

The Commission treats cases of scientific malpractice that have been brought to their attention in consideration of the following principles:

- Objectivity, i.e. the same high level of care must be taken regardless of the persons involved, the content or any other circumstances.
- Traceability, i.e. the documents, deliberations and reasons for conclusions/recommendations/reports and similar things have to be documented.
- Right to make a statement, i.e. the individuals involved must be given sufficient opportunity to make a verbal and/or written statement.
- Transparency, i.e. the meetings of the Commission are generally not open to the public, but can be made public on request of an involved person with the consent of at least 75% of the members of the Commission.

In addition, recognised good practices of conflict management must be observed. In cases of doubt about the procedure, the Board will look into the matter and make a decision.

V.2. Procedures of/before the Commission

1. A distinction is made between anonymous and open accusations of scientific malpractice.
2. If the Commission is called upon to deal with an anonymous accusation of scientific malpractice, it shall immediately notify the person accused, who will decide whether to request the Commission to continue dealing with the case. However, if the Commission provides detailed justification, it has the right to continue dealing with the case of its own accord.

3. In the event that a person openly accuses another person of scientific malpractice, the Commission shall also notify the accused person immediately, unless there are good reasons to the contrary (such as a dependence situation that calls for further clarification/measures). In any case, the accused person shall be informed of the accusation of scientific malpractice no later than three working days after the first meeting of the Commission in this matter.
4. The accused person talks to the Commission about whether he or she wishes to refer this matter exclusively to the Commission for the time being or whether he or she would also like to get in touch directly with the FH JOANNEUM Board.
5. After its first meeting, within no longer than one month from filing the allegation of scientific malpractice and in accordance with all procedural principles, the Commission draws up a (preliminary) report about the situation and the conclusion it has drawn from it. If this deadline cannot be met, the Board shall be notified immediately. In this case, the (preliminary) report shall be drawn up no later than within two months of the filing of the allegation.
6. The (preliminary) report will be passed on to the accused person, who has the right to submit a written statement as soon as possible and within one month of the submission of the report. If this deadline cannot be met, the accused person must notify the Commission of this as soon as possible, and the Commission in turn notifies the Board. In this case, the statement must be drawn up within two months. If the statement is not drawn up in time or not at all, this shall not affect the course of the proceedings.
7. The Commission may add no more than comments to the statement of the accused person. In any case, the Commission eventually draws up the final report (consisting of the (preliminary) report and the statement of the accused person, plus any comments added), which is immediately passed on to the Board.
8. The final report can form the basis for a subsequent detailed examination of the entire matter by the Board.