

**Official Announcements**

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Heinrich Heine University Düsseldorf from June 27, 2002

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**Basic Principles for Safeguarding Good Scientific Practice at Heinrich Heine University Düsseldorf**

From June 27 2002

**Section One: Rules of Good Scientific Practice**

**§ 1**

**Guiding Principles**

(1) Researchers working at Heinrich Heine University are obliged to

- avoid academic misconduct,
- keep and safeguard strict honesty regarding contributions of partners, competitors and predecessors,
- keep and document their own research results/outcomes and to put them up for discussion,
- be critical concerning the results of others and also to critically reflect own results,
- prevent academic misconduct of others.

(2) Being host to research, teaching and promotion of young talent the university has to take on institutional responsibility with regard to securing good scientific practice. Apart from taking measures for ascertaining and punishing any case of academic misconduct there are also measures to be taken which will lead to the avoiding of academic misconduct directly at the outset.

(3) The faculties are asked to broach the issue of "academic misconduct" as part of the curriculum and to inform students and young researchers on valid basic principles.

(4) Every head of a team has to behave exemplarily with regard to scientific matters. Young researchers and students should show vigilance regarding academic misconduct within their environment in the interest of their own scientific future.

## **§2**

### **Cooperation and Management Responsibility in Teams**

The heads of research groups are responsible for an adequate organization which ensures the tasks of the management, supervision, conflict regulation and quality assurance being clearly allotted and are carried out.

## **§3**

### **Supervision of early stage academic researchers**

Heads of work groups are responsible for ensuring appropriate supervision of graduates, doctoral researchers and students alike. Additionally they must have a primary reference person in their work group, who also conveys the principles of good scientific practice.

## **§4**

### **Performance and Evaluation Criteria**

Once quality criteria such as scientific soundness, control of methods, innovative content and originality are applied as criteria for performance and evaluation for examinations, the awarding of academic degrees, promotions, employment, appointments and appropriation of funds, they must take a higher priority over quantitative criteria.

**§5**  
**Securing and Storage of Primary Data**

Primary data such as basic research for publications are to be stored on permanent and safeguarded media within the institution in which it was created for a period of ten years. If possible, preparations which helped in the creation of this primary data are to be kept for the same period.

**§6**  
**Scientific Publications**

Authors of joint scientific publications are responsible for their content.

**§7**  
**Academic Misconduct**

(1) Academic misconduct is present if one of the following occurs intentionally or through gross negligence in a scientific context: provision of incorrect information, violation of intellectual property of others and/or when their scientific activities are affected in another way especially by

- a) providing false information such as
  - invention of data,
  - falsification of data, e.g. through incomplete use of data and non-consideration of unwanted results without disclosure, and/or through manipulation of a representation and/or illustration,

- false information in an application and/or a grant application (including false information on the publishing body and on publications in print),

b) the violation of intellectual property with regard to work created by another and which is under copyright protection as well as the violation of essential scientific findings, hypotheses, doctrines/models and/or scientific approaches made by others through

-unauthorized use by falsely claiming authorship (plagiarism),  
-the exploitation of research approaches and ideas of others, in particular from the position of a reviewer (theft of ideas),  
-the claiming and/or unfounded assumption of scientific authorship and/or co-authorship,  
-honorary authorship,  
-the falsification of contents,  
-the unauthorized publication and unauthorized provision of access for third parties, as long as the work, findings, hypotheses, teaching and/or research approach have not yet been published, the unapproved use of third-party data before its publication as well as the violation of restricting constraints valid for the approved use of third-party data, and/or

c) the claiming of (co-)author and/or authorship of one another person without their consent,

d) the sabotage of research activity, including the damaging, destruction and/or manipulation of experimental setups, devices, documents, hardware, software, chemicals and/or other things which any other might need for the realisation of an experiment as well as

e) the elimination of primary data, provided that this elimination poses a violation against legal regulations and/or acknowledged basic principles of scientific work within one discipline.

(2) Academic misconduct also occurs in the form of behaviour which results in partial responsibility for the misconduct others, in particular through active participation, sharing knowledge of falsification, co-authorship in falsified publications and/or serious neglect of supervisory responsibility.

## **Section Two: Proceedings for Suspicion of Academic Misconduct**

### **§8**

#### **Pursuit of Academic Misconduct**

(1) Heinrich Heine University will follow every concrete suspicion of academic misconduct at Heinrich Heine University. For this purpose the senate appoints a continuous Investigation Commission which officially investigates the matter and reports on it to the Vice-chancellor's office.

(2) The proceedings before the Investigation Commission do not replace any other legal or statutory proceedings (e.g. academic proceedings, labour and/or civil service proceedings, civil and/or criminal proceedings). These are initiated where appropriate by the responsible bodies in each case.

(3) The faculties in cooperation with the Vice-chancellor's office must determine whether and to what extent other researchers (former and future cooperation partners, co-authors), scientific institutions, scientific journals and publishers (for publications), research institutions and scientific organizations, state organizations, ministries and the public are to be / must be informed.

## **§9**

### **Ombudspersons and Investigation Commission**

(1) The Vice-chancellor's office appoints an Investigation Commission for the clarification of academic misconduct. In each case the Vice-chancellor's office appoints one professor from each of the 5 faculties for a duration of 3 years, each of whom must be a member of Heinrich Heine University. The Investigation Commission designates one professor as the chairperson. The Investigation Commission may consult with additional suitable persons for this.

(2) In each case the Vice-chancellor's office appoints one professor from each of the 5 faculties for a duration of 3 years as Ombudspersons. Each must be a member of Heinrich Heine University. The Ombudspersons participate in the meetings of the Investigation Commission with a counselling function only. The Ombudspersons are contacts in the university for cases of academic misconduct. They check with the persons concerned and informants whether the matter should be handled by the commission. Should all parties agree that the suspicion is unfounded, no further proceedings are necessary.

## **§ 10**

### **General Procedural Rules**

(1) The meetings of the Commission are not public.

(2) Decisions of the Investigation Commission are taken by a simple majority.

(3) The Investigation Commission is entitled to take all necessary steps for the clarification of the problem at hand. It may obtain all necessary information and statements and, as required on an individual basis, also call upon professional representatives and/or experts from the affected field(s) of research if necessary.

(4) The person(s) concerned must be presented with the incriminating facts and, where necessary, also the evidence.

(5) Both the person(s) concerned as well as the informant(s) must be given the opportunity to comment verbally; the person(s) concerned may be present during the oral discussion. The informant as well as the person(s) concerned are permitted to use counsel at any time.

(6) If the identity of the informant is not known to the person(s) concerned, it must be disclosed to them if this information is deemed necessary for proper defence, in particular because the plausibility of the informant is of essential importance for the determination of misconduct.

(7) All participants in the proceedings are obliged to strict confidentiality.

(8) The Investigation Commission makes its decision at its own discretion by taking into consideration the assessed problem and the proof brought forward.

## **§ 11**

### **Preliminary Investigation**

(1) As soon as the Investigation Commission obtains concrete suspicions of academic misconduct, it permits the person(s) concerned the opportunity to address said suspicions within a period of two weeks. All inculpatory and exculpatory facts as well as proof must be documented in writing.

(2) After submission of the statement of the person(s) concerned and/or after expiration of the time period allowed, the Investigation Commission makes a decision within two weeks as to whether the preliminary investigation proceedings are to be ended - including notification of the person(s) concerned

and informants on the reasons - either because the suspicion has not been sufficiently proven, or because formal investigation proceedings will be undertaken.

**§ 12**  
**Formal Investigation**

(1) The chairperson will inform the Vice-chancellor's office of the opening of the formal investigation proceedings.

(2) The matter is officially investigated by the Investigation Commission. For this purpose it may take statements and/or call for verbal clarification from all university members and any other persons involved; the person(s) being investigated must be allowed to attend the verbal discussion. The Investigation Commission presents its results to the Vice-chancellor's office.

(3) The person(s) concerned as well as the informants are to be informed of the result, both immediately and in writing.

(4) At the end of investigation proceedings, the representative identifies all persons which are (were) involved in the case. He/She advises those persons - in particular innocent junior researchers and students involved in the academic misconduct - with respect to the safeguarding of their personal and scientific integrity.

**§ 13**  
**Effective Date**

These basic principles become effective on the day after the announcement in the Heinrich Heine University Official Announcements.

Issued on the basis of decisions by the Heinrich Heine University Düsseldorf **Senate** on December 4, 2001 and May 28, 2002.

Düsseldorf, June 27 2002

Prof. Dr. Dr. h.c. Gert Kaiser  
Vice-chancellor