Ethical guidelines, regulations for securing and safeguarding good academic practice, and procedures for addressing academic malpractice and misconduct at the Georg Eckert Institute for International Textbook Research. Member of the Leibniz Association (hereafter ‘GEI’ or ‘Institute’)

Preamble

Academic researchers’ honesty with themselves and one another, their fair treatment of colleagues, those who report to them, students, research subjects and others involved in their work, and responsibility in the use of resources form the basis of all successful and ethically conducted academic work.

These guidelines, regulations and procedures set out the consensus at the GEI regarding these matters and are intended to raise awareness of ethical issues in the theory and practice of academic work and encourage academics and others to reflect critically upon their actions. Further, they seek to protect employees of the GEI from illegitimate expectations and demands.

The Leibniz Association and its member institutions are acutely aware of their responsibility to communicate to all academics working within them, particularly those in the early stages of their academic careers, the ethical guidelines and regulations which should govern their actions as academics.

The GEI’s ethical guidelines and regulations for securing and safeguarding good academic practice are based on the ‘Recommendations made by the Leibniz Association for safeguarding good scientific practice and handling complaints concerning scientific misconduct’ issued on 27 November 2015 and on principles of research ethics and guidelines on research data issued by other academic institutions.¹

All employees of the GEI are required to accept the Guidelines and Regulations, and to agree to abide by them, in writing. Compliance with them is a contractual duty for all new employees.

¹ These primarily include the principles on research ethics issued by the German Educational Research Association (2010), the German Institute for Economic Research (2013), and the German Sociological Association and the professional association of German sociologists (Berufsverband deutscher Soziologinnen und Soziologen) (2014), along with Göttingen University’s research data policy (1 July 2014).
Part I: Ethical guidelines and rules of good academic practice

Section 1 Key principles

(1) The central principles and requirements of good academic practice include, in particular:
   - The principle of working *lege artis*,
   - the full and complete documentation of all stages of work on a study and all findings generated, along with the safe and secure storage of all documentation and primary data,
   - the thorough and critical examination of the validity and, where appropriate, the reproducibility of all research findings,
   - the maintenance of strict honesty in relation to the contributions made to a piece of research by collaborators, team members, competitors and predecessors, and full and honest disclosure of these contributions to funding bodies,
   - respect, in all publications, for others' intellectual property and the correct referencing of all quotations, citations or inclusions of others' work in one's own,
   - the provision of adequate and appropriate supervision and support to academics undertaking research for doctoral and postdoctoral qualifications and due care and attention to the assessment of this work,
   - the principle of acting responsibly in working with and managing others in departments, research teams and project groups, including the provision of adequate and appropriate supervision and support to their members,
   - the responsibility of authors of academic publications for the content of those publications, including the presentation and discussion of research findings.

(2) Employees of the GEI acknowledge the source/s of funding of their research and do not accept financial support or research projects or enter into contracts which may compromise their academic independence or infringe any of the principles set out in this document.

(3) Alongside implementing measures designed to identify academic misconduct and apply appropriate sanctions, it is important for academic institutions to implement or reinforce appropriate measures to prevent such misconduct occurring. The GEI, as an institution which engages in research and nurtures early-career academics, bears a specific institutional responsibility for the implementation of such measures.

Section 2 Responsibility of Institute management for upholding good academic practice

Responsibility for organising the academic work which takes place at the GEI, specifically its management and supervision, conflict resolution and quality assurance, rests with the Institute's directors, its heads of department and project leads. Part of their task in this regard is to ensure that early-career academics are made aware of these guidelines and rules in the course of their development as academics and in the context of supervisory relationships and to monitor compliance with them. Further, they are responsible for ensuring that the tasks, objectives, rights and responsibilities related to the research work of individual academics at the Institute are set out, defined and assigned in accordance with the regulations in force at the GEI and in a manner considered acceptable and reliable by all involved.

Section 3 Academic publications and authorship

(1) The purpose of academic publications is to describe the findings of academic research and the manner of their attainment completely and in a way which makes the findings and their process clear and transparent to others. Text and findings previously published elsewhere may only be included in later publications if this is clearly indicated (duplicate publication).
Employees of the GEI make the findings of their research publicly available in an appropriate form. An exception to this rule shall be granted in cases where to publish such research would be morally irresponsible or indefensible or infringe confidentiality. In instances where confidentiality clauses relating to the holders of specific offices or agreements with the commissioners of the research interfere with the authors' right to publication of the findings, employees of the GEI shall attempt to uphold their right to publish in as full a form as possible.

Employees of the GEI respect the intellectual property and the authorship of academic ideas, theories, findings and data. Where they cite such material, they attribute authorship or intellectual property correctly, completely and within the relevant context.

Authorship of an original academic publication should only be claimed by those who have themselves made a substantive contribution to the conceptualisation of a study, the creation, analysis and interpretation of data, and the production of the manuscript and who have agreed to its publication, i.e. those who hold or share responsibility for the publication. So-called honorary authorship is not permitted. In instances such as major research projects involving multiple institutions, these rules should be incorporated into cooperation agreements.

Where multiple authors have produced a publication, all authors involved always share responsibility for the content published. Each individual author identifies with the findings published, vouches for the publication’s content, and may be called upon to defend the work or answer for irregularities if necessary.

External reviewers of manuscripts submitted for publication must observe confidentiality and declare any interests which may compromise their objectivity.

Section 4 References, assessments, expertises, reviews and consultancy services

Employees of the GEI asked to provide references for individuals, reviews of manuscripts or assessments of grant applications or other work or matters must refuse the request if acceding to it would lead to a conflict of interest.

Research submitted for assessment or review must be assessed in its entirety, with due care, in accordance with confidentiality, fairly, and within an appropriate period of time.

When drawing up performance and assessment criteria for academic examinations, for the conferment of academic degrees, or for academic appointments, quality and originality are to be given precedence over quantity.

Employees of the GEI requested to review books or manuscripts they have previously reviewed elsewhere should inform the person making the request of this. They must decline to review publications in which they were directly or indirectly involved.

Section 5 Treatment of research subjects

It is imperative to respect both the individual rights of persons taking part in academic research as subjects and their right to freely choose whether or not to participate.

The consent of research subjects to participation, and inclusion of data relating to them, in empirical research is a fundamental prerequisite of this participation and inclusion. Consent must be given on the basis of prior information on the purpose, theoretical basis, objectives and methodology of the research, made available in a manner coherent with the research design and as detailed as possible (informed consent). Researchers must take particular care to ensure research subjects are informed appropriately when there are reasonable grounds for the assumption that they may be unable, due to their level of education, socio-economic disadvantage or lack of language skills, to sufficiently understand the study’s intent, process and organisational arrangements without being provided with specific information on these. If informed consent cannot be obtained due to the researcher’s well-founded belief that doing so would falsify the findings or produce erroneous data, other acceptable ways of obtaining consent...
should be used. This may mean that consent to the use of data or material obtained during the study must be sought after data collection. Research subjects may withdraw their consent at any time during the research process.

(3) Persons participating in a study as subjects of observation or as survey respondents or in any other way, in relation, for example, to the analysis of personal information, must not be exposed to any dangers or disadvantage through the research. Participants must be fully informed of all risks of involvement in the study which exceed those encountered in normal everyday life.

(4) Researchers must respect the personal and individual integrity of the persons they survey or observe in the course of their work. They must, as a general principle, use methods and processes which exclude the possibility of the subject being identified and guarantee their anonymity. Where data are processed electronically, researchers must take care to ensure they cannot be accessed impermissibly or by those not entitled to do so.

(5) All information collected from research subjects must be treated confidentially by all involved in the research process who have access to it, including interviewers, coders and typists. Project leads are responsible for ensuring that all involved in the research are aware of this obligation and monitoring access to confidential material.

(6) Researchers shall be voluntarily subject to confidentiality obligations analogous to those in force for members of other professions and should claim a right to refuse to make statements or give evidence if they have the reasonable belief that making such statements would be to the detriment of those to whom the information at stake relates or who were involved in its collection.

Section 6 Management of research data

(1) The GEI supports and promotes free access to research data, subject to the stipulations in Section 5 being met.

(2) ‘Research data’ is defined as data collected, generated or derived in the process of research, observations or simulations.

(3) Rules and procedures for the management of research data generated in GEI research projects are set out in the Institute’s data management plan.

(4) Research data management encompasses the planning, collection, processing and storage of such data. Its purpose is to ensure that all data on which research findings are based are accessible, available to be used for appropriate subsequent purposes, reproducible and of adequate quality. Project leads and independent researchers are, as a rule, responsible for data management within their research projects. In particular, they must ensure that their data management meets the standards of good academic practice and the standards typical of their academic discipline.

(5) Research data must be collected, processed and analysed in accordance with ethical, legal and data protection stipulations. They must be stored on durable and secured media at the institution at which they were collected for a period of ten years, unless doing so would conflict with legal stipulations which take priority in this instance, contractual provisions, or data protection regulations.

Section 7 Treatment of colleagues, junior employees, students, early-career academics and cooperation partners

(1) Employees of the GEI who supervise students and early-career academics commit to providing supervision of consistently high quality and ensuring that those under their supervision receive a good academic grounding in their field. These ethical guidelines and principles of good academic practice should be an integral component of the teaching or academic training received. Heads of department and project leads bear responsibility for ensuring that students, including graduate
and doctoral students, receive appropriate supervision, including in instances where supervision needs to be provided by an academic from outside the Institute.

(2) The GEI’s management shall strive to ensure that it acts fairly, objectively, and in accordance with all relevant legal stipulations in relation to appointments, redundancies and dismissals, performance assessments, promotions, salary determinations, other issues relating to an individual’s employment at the Institute or the commissioning of work, and appointment to professorships or the co-opting of persons to Institute bodies. Employees of the GEI do not discriminate against others on the basis of their age, gender, disability, social status, country or region of origin, ethnicity, religion or political affiliation.

(3) Employees of the GEI must not exploit the work or achievements of others for their own ends or use others’ work without attribution.

(4) Employees of the GEI must not force, compel or pressure others, in particular research subjects, commissioners of research, junior employees and students, to grant them personal favours or career advantages of any kind.

Section 8 Decentral ombudsperson

(1) The GEI’s academic staff shall elect by general secret ballot an ombudsperson and a deputy ombudsperson as points of contact to whom disagreements, suspicions and disputes in relation to good academic practice may be reported (decentral ombudsperson). The ombudsperson may not be a member of Institute management and should be in a position to act with independence by virtue of, for instance, having a permanent contract of employment at the Institute. The term of office of the ombudsperson and his or her deputy shall be three years, and re-election for one further term of office shall be permitted. Institute management is responsible for organising and conducting the secret ballot.

(2) The ombudsperson may confer on a matter with his or her deputy.

(3) The decentral ombudsperson has the power to launch an investigation into allegations of academic malpractice or misconduct (decentral investigation).

(4) If, in the course of the decentral investigation, the decentral ombudsperson comes to the conclusion that the allegations warrant further investigation, the matter is passed to the central ombudsperson.

Section 9 Central ombudsperson

(1) The Senate of the Leibniz Association elects an ombudsperson for the Leibniz Association (central ombudsperson) and a deputy. The ombudsperson and deputy are proposed for election by the Leibniz Association’s Executive Board and generally elected for a term of office lasting four years. Re-election for one further term of office shall be permitted.

(2) The central ombudsperson acts upon the request of a decentral ombudsperson. Further, he or she can act, in cases where such action appears reasonable, upon information given to him or her by a third party about a suspected case of academic misconduct or malpractice in connection with a person’s work at a Leibniz Association member institution.

(3) The central ombudsperson investigates allegations of academic malpractice or misconduct made against employees or former employees of Leibniz Association member institutions.
Part II: Procedures for addressing academic malpractice and misconduct

Section 10 Academic malpractice and misconduct

(1) Academic malpractice or misconduct is deemed to have been committed when a researcher, in a context specifically relevant to or significantly impacting academic work and in a deliberate or grossly negligent manner, makes false statements or falsifies research, infringes intellectual property rights, or impedes or negatively affects others’ research activities.

(2) Along with violations of academic ethics, particularly by means of actions intended to deceive others or characterised by a lack of respect for human dignity, academic malpractice and misconduct includes, but is not necessarily limited to, the following:

(a) False statements or falsification of research, in particular:
   - forging data,
   - falsifying data (for instance by selective inclusion of desired or exclusion of non-desired findings or methods of analysis which provide the desired results, where these actions are not declared, or by manipulating a description or illustration),
   - giving incorrect information in lists of publications or grant applications (including incorrect information on the organ in which a publication appears or on forthcoming publications),
   - non-declared multiple publication of data or text.

(b) Infringement of intellectual property rights, in particular:
   - in relation to a legally protected work created by others or to substantive academic or scientific knowledge, findings, hypotheses, teachings or approaches to research generated or formulated by others:
     - the incorporation into a text or other use, without permission, of passages of text without appropriately attributing authorship to the correct author/s (plagiarism),
     - the exploitation of ideas and approaches to research without permission, particularly if awareness of the idea or approach has been gained in the course of acting as a reviewer or examiner of academic work or author of an expertise,
     - claiming or accepting academic authorship or co-authorship without rightful claim thereto, or refusing to be named as co-author where co-authorship exists,
     - misrepresenting the content of a piece of academic work or a passage of text,
     - publishing or making available to third parties a piece of academic work, a research finding, a hypothesis, a teaching or a research approach which has not yet been officially and lawfully published;
   - naming another as (co-)author of a publication without his or her consent.

(c) Impeding the research activities of others.

(d) Destroying, deleting or disposing of primary data in a manner contrary to legal stipulations or recognised principles of good academic practice. This includes unlawful failure to destroy, delete or safely dispose of data, particularly personal information.

(3) Shared responsibility for misconduct or malpractice may arise from, inter alia, involvement in malpractice or misconduct committed by others, gross negligence in relation to supervision duties, or co-authorship of publications contaminated by malpractice or misconduct.
Section 11 Procedures for investigations into allegations of academic malpractice and misconduct carried out by the decentral ombudsperson (decentral procedure)

(1) Upon learning of an allegation of academic malpractice or misconduct, the ombudsperson launches an internal investigation within the GEI (decentral procedure).

(2) The internal investigation proceeds as follows: The ombudsperson hears the accounts of those involved, speaking to each individual separately, and is permitted to consult the chair of the Institute’s Academic Advisory Board if he or she feels it necessary. At this stage in the proceedings, the ombudsperson shall treat all information given to him or her, the name of the person against whom the allegation has been made, and that of the informant confidentially and maintain the anonymity of those involved.

(3) If the allegation cannot be disproved at this stage, the ombudsperson informs Institute management and the relevant head of department. It may be necessary at this stage to maintain the anonymity of the person subject to the allegation and the informant. If the allegation is against a member of Institute management, the ombudsperson shall inform the chair of the Academic Advisory Board.

(4) The ombudsperson provides mediation in order to support those involved in tackling the conflict constructively. He or she shall prepare meetings between those involved, structure and facilitate them, mediating between the parties’ differing perspectives in order to help them come to a mutually acceptable resolution. Further, the ombudsperson shall minute such meetings and document the action agreed upon for the solution’s implementation, and subsequently provide supervision and support during this implementation. Once agreement or conciliation has been reached, the ombudsperson shall conclude the decentral procedure with a report and inform Institute management, the relevant head of department and, where required, the chair of the Academic Advisory Board of the procedure’s conclusion. The information given by the ombudsperson shall relate to the fundamental facts of the matter and give non-involved parties a clear idea of how the ombudsperson’s decision or the resolution of the conflict came about.

(5) If the decentral process fails to reach a resolution to the matter, the ombudsperson shall pass the matter to Institute management, which shall decide on further steps and, where relevant, on the application of sanctions in accordance with Section 15 of these guidelines. Alternatively, the ombudsperson may pass the matter to the central ombudsperson of the Leibniz Association, who may initiate a central procedure for the investigation of academic malpractice or misconduct (see Sections 12-14).

Section 12 Procedures for investigations into allegations of academic malpractice and misconduct carried out by the central ombudsperson (central procedure)

(1) Allegations of academic misconduct or malpractice should be submitted in written form to the central ombudsperson of the Leibniz Association.

(2) The investigation of allegations submitted anonymously shall be at the discretion of the ombudsperson. As a general principle, the conduction of an appropriate investigation requires the identity of the informant to be known.

(3) The anonymity of a person making an allegation of misconduct or malpractice is to be guaranteed. It may be necessary to reveal the name of the informant to the subject of the allegation in cases in which not doing so would render the subject of the allegation unable to appropriately defend him- or herself. However, the name of an informant may only ever be revealed where doing so does not put him or her at any academic or career disadvantage.

(4) The ombudsperson shall confirm the receipt of a complaint to the informant within a period of one week of its reaching him or her.
(5) The ombudsperson shall report to the Executive Board of the Leibniz Association, the spokesperson of the Association’s relevant Section, and the director of the institution to which the allegation relates that he or she has received a complaint and is investigating. All information relating to specific individuals shall be anonymised at this point.

(6) The central ombudsperson then carries out a preliminary investigation, which should consist at the least in hearing the account of events given by the subject of the allegation and, where appropriate, by the informant.

(7) The central ombudsperson may interview further individuals and commission external reports or expertises.

(8) The result of the preliminary investigation shall be the central ombudsperson’s decision to either conclude the investigation with no further action or convene a committee of enquiry.

(9) The central ombudsperson writes to the informant to tell him or her the result of the preliminary investigation.

(10) The central ombudsperson informs the Executive Board in writing of the result of the preliminary investigation and the grounds on which this conclusion was reached.

(11) Where the central ombudsperson concludes the investigation with no further action, the Executive Board shall consider the decision and the reasoning given in its next meeting after receiving the information at the latest. Where the Executive Board disagrees with the ombudsperson’s decision to take no further action, it may order the establishment of a committee of enquiry.

Section 13 Procedures for a committee of enquiry on allegations of academic malpractice or misconduct

(1) The central ombudsperson may, if it is warranted in his or her view, or upon request of the Executive Board, convene a committee of enquiry on allegations of academic misconduct or malpractice. The ombudsperson selects the committee members and invites them to take part in the committee.

(2) A committee of enquiry must consist of at least three members, including the chair of the Academic Advisory Board of the institution concerned and/or the spokesperson of the Section of the Leibniz Association to which the institution belongs. In addition to these, the committee must include one further member who is in possession of the appropriate subject knowledge to thoroughly comprehend the academic matters at stake in the process and who is not an employee of the institution concerned. Additionally, a fully qualified law graduate (Volljurist/in) should be part of the committee. The committee shall appoint a chair from among its members.

(3) The central ombudsperson is a non-voting member of the committee of enquiry.

(4) All voting members of the committee have equal voting rights. The Leibniz Competition’s rules on impartiality shall apply.

(5) The committee of enquiry shall conduct its discussions orally and in private. The members shall agree on a procedure in its first meeting.

(6) The Leibniz Association’s headquarters shall provide organisational support to the committee of enquiry’s work.

(7) Member institutions and the Association’s headquarters shall supply the committee of enquiry with access to all documents and data it requests in the course of its work.

(8) The members of the committee of enquiry, the employees of the Leibniz Association’s headquarters who are involved in supporting its work, and all persons who take part in the procedure or are made aware of it shall maintain confidentiality on all matters pertaining to it.
(9) The committee of enquiry shall examine the allegations of academic malpractice or misconduct with due regard to the matter at hand and all its circumstances. It shall interview the subject of the allegations and the informant and establish the context of the behaviour at issue. The committee may, if required, interview further persons, commission expertises and consult assessors or experts in an advisory capacity.

(10) As a general rule, the committee of enquiry shall conclude its work within a maximum time period of six months, reckoned from the committee's constitutive meeting.

(11) The committee of enquiry may close the case with no further action.

(12) The committee of enquiry shall produce a report which either sets out the committee's reasons for closing the case with no further action or finds that academic malpractice or misconduct has been committed.

(13) Should the committee find that academic malpractice or misconduct has been committed, i.e. should a majority of its members consider such malpractice or misconduct to be sufficiently proven, the report shall, in particular:

- state whether the malpractice or misconduct took place deliberately or as a result of gross negligence, and
- determine the level of seriousness of the misconduct or malpractice.

(14) Further, the report shall set out the committee of enquiry's recommendations for further action (the involvement of further institutions and bodies, the initiation of disciplinary action, etc.).

(15) The report shall be presented to the Leibniz Association's Executive Board. The Executive Board shall review and discuss the report and, where appropriate, make determinations on further action in its next meeting after receiving it.

Section 14 Conclusion of the procedure

(1) The Executive Board of the Leibniz Association shall determine, on the basis of the report presented to it by the committee of enquiry on alleged academic malpractice or misconduct, whether the case is to be closed with no further action or further action is to be taken, and, in the latter case, shall determine the nature of that action. The Executive Board may take the following action against the subject of allegations found to be proven:

- It may issue a written reprimand;
- It may exclude the academic concerned from the Leibniz Association's internal competition for research funding for a period of one to five years, according to the gravity of the conduct found proven;
- It may order the academic concerned to retract, in full or in part, any publication or publications affected by the malpractice and issue a correction of inaccurate data (in particular by means of publication of an erratum);
- It may prohibit the academic concerned from standing for election to Leibniz Association bodies for a period of one to five years, according to the gravity of the conduct found proven.

(2) If the Executive Board, on the basis of the committee of enquiry's report, considers that the academic malpractice or misconduct found proven is such that its implications may include the loss of academic titles, degrees or qualifications, it shall inform the awarding institution.

(3) The report presented by the committee of enquiry and the determinations of the Leibniz Association's Executive Board shall be final as far as the Leibniz Association's internal procedure is concerned.
The management of the member institution to which the academic concerned belongs is responsible for the initiation of any disciplinary measures or action under employment, civil or criminal law.

The central ombudsperson shall inform the subject of the allegations and the informant/s of the substantive reasons leading to the conclusion of the investigation with no further action or to the determination of the Executive Board on further action to be taken.

The Executive Board of the Leibniz Association shall decide on a case-by-case basis whether to publish its determinations in the matter and the report or reports of the committee of enquiry. It shall consider in doing so whether publication would meet a justified public interest in the information.

Section 15 Disciplinary and legal action in cases of proven malpractice or misconduct

In accordance with the circumstances of the case at hand, and particularly with regard to the seriousness of the malpractice or misconduct deemed to have been proven, disciplinary or legal action may be taken, in some cases cumulatively. Such action may include:

a) Action under employment law:
   1. Issuance of a written warning;
   2. dismissal without notice;
   3. termination of the employee’s contract of employment by mutual agreement.

b) Consequences for the academic standing of the person concerned:
   1. Revocation of the academic’s doctoral degree;
   2. revocation of *venia legendi*.

c) Action under civil law:
   1. Denial of entry to the premises of the institution concerned;
   2. civil claims for the return of (for instance) research materials illegitimately removed from the premises;
   3. the pursuit of removal or cease-and-desist orders in relation to copyright, rights pertaining to the person, patent or competition legislation;
   4. claims for repayment of monies, such as studentships, third-party funding or similar;
   5. claims for damages brought by the Institute or by third parties.

d) Criminal prosecution.

Academic publications contaminated by proven academic malpractice or misconduct shall be withdrawn from the review and publication process if yet to be published, or, if they have already been published, retracted (post-publication retraction) or made the subject of an erratum or correction. Where necessary, any cooperation partners involved in the original research shall be informed in an appropriate manner. Authors and book, series or journal editors involved in the publication have a fundamental duty to carry out this action. If they fail to act within a reasonable timeframe, the director of the GEI or the chair of the Academic Advisory Board shall undertake the appropriate action.

In cases of serious academic malpractice or misconduct, the director of the GEI or the chair of the Academic Advisory Board shall inform other research institutions or organisations affected by the issue and, where relevant, professional associations.

In certain instances, the director of the GEI or the chair of the Academic Advisory Board may have a duty to inform third parties affected by the malpractice or misconduct, and/or the public at large, of the malpractice or misconduct found proven. Such a duty may arise where it is necessary to protect third parties’ interests, to maintain individuals’ or the public’s trust in academic integrity, to restore the academic reputation of the Georg Eckert Institute or to prevent
further damage arising from the incident, or where publicising the matter is in the general public interest.

Section 16 Entry into force

These ‘Ethical guidelines, regulations for securing and safeguarding good academic practice, and procedures for addressing academic malpractice and misconduct at the Georg Eckert Institute for International Textbook Research. Member of the Leibniz Association’ enter into force upon being passed by the Board of Trustees of the Georg Eckert Institute.

The Board of Trustees of the Georg Eckert Institute passed these guidelines and regulations in its meeting of 7 July 2016.

Braunschweig, 8 July 2016

English translation approved on 13.03.2017