In its meeting on 11.10.2022, the Senate of the University of Veterinary Medicine Hannover adopted the Regulations for Safeguarding Good Scientific Practice and procedures in case of suspicion of scientific misconduct for the University of Veterinary Medicine Hannover.

Basis of authorization § § 15, 41 Abs. 1 NHG, § 1 Abs. 3 GO

Regulations to ensure good scientific practice and Procedures in the Case of Suspected Scientific Misconduct for the University of Veterinary Medicine Hannover from 11.10.2022

Preamble

Scientific work is based on principles that are the same in all countries and in all scientific disciplines. First and foremost is honesty towards oneself and others. It is both an ethical norm and the basis of the rules of scientific professionalism, i.e. good scientific practice, which vary from discipline to discipline. To convey these to students and young scientists and to ensure the conditions for their validity and application in practice is a core task of teaching and the self-government of science. Good scientific practice is also a prerequisite for efficient research that is recognised in international competition. A violation of these principles is scientific misconduct. If there is a suspicion of scientific misconduct, the responsibility of the university requires that the facts be clarified in an orderly procedure and, if necessary, that the sanction measures provided for by the legal system be taken. The University of Veterinary Medicine Hannover creates the organizational framework to ensure good scientific work and to sanction scientific misconduct. The regulations respect the freedom of science (Art. 5 para. 3 GG) and take into account the Guidelines for Ensuring Good Scientific Practice of the German Research Foundation of August 2019.

I. Scope of the Regulations

§ 1 Scope of application

These regulations apply to

a)

- academically active members and affiliates (including doctoral and post-doctoral students),
- Students within the scope of their bachelor and master theses,
- non-scientific employees, as far as they are active in research,
- „Habilitands“, who are not members,
- supervisors and reviewers, who are not employees, of doctoral candidates, (hereinafter jointly referred to as "scientists"), and

b)

former members, doctoral candidates, post-doctoral candidates, if they are affected by an accusation of scientific misconduct which concerns their activity at the University of Veterinary Medicine Hannover (hereinafter referred to as "former scientists"),
of the University of Veterinary Medicine Hannover (hereinafter referred to as "University").

II. Safeguarding good scientific practice

II.I. General principles of scientific work

§ 2 Obligation to comply with the general principles of scientific work

(1) The persons named in § 1a are responsible for implementing the fundamental values and standards of scientific work in their actions and for standing up for them. They are obliged to comply with the principles of good scientific practice, in particular those contained in §§ 3 to 8.

(2) The general principles of scientific work include, in particular, the duty to work lege artis, which includes, in particular:

- to determine the research design (§ 3),
- to work state of the art (§ 4),

- to document results at every stage (§ 5),
- to consistently self-doubt and critically review all results,
- to maintain strict honesty with regard to the contributions of partners, competitors and predecessors
- to publish according to the FAIR principle (§ 7 para. 4),
- to observe the rules of authorship (§ 8).

§ 3 Research design

(1) When planning a project, the current state of research must be comprehensively considered and acknowledged. The identification of relevant and appropriate research questions requires a careful exploration of the research that has already been made publicly available.

(2) The extent to which gender, and cultural conditioning can unknowingly influence research (unconscious bias) must be examined. This also applies to the interpretation of research results.

(3) The danger of misuse of research services has to be kept in mind. Experience and skills shall be used in such a way that risks can be identified, assessed and evaluated, especially in safety-relevant research (dual use).

(4) If necessary, approvals and ethics votes are to be observed.

(5) Legal requirements shall be complied with.

(6) The roles and responsibilities of the persons involved must be clearly defined at all times during the research project.

(7) If necessary, agreements on rights of use shall be made and documented at the earliest possible time. Contracts with third parties shall be taken into account.

§ 4 Methods and standards

(1) Scientifically sound and comprehensible methods shall be used at every stage of the research activity. Subject-specific standards and established methods shall be observed. They represent an essential prerequisite for the comparability and transferability of research results.

(2) The quality assurance mechanisms used in the research work shall be described. This applies in particular to the development and application of new methods.

(3) The origin of data, organisms, materials and software used in the research process shall be identified. The subsequent use is to be documented. Original sources are to be cited. The nature and extent of research data generated in the research process shall be described. The handling of research data shall be designed in accordance with the requirements of the subject concerned. The source code of publicly accessible software must be persistent, citable and documented.

(4) Intellectual property of others must be respected by applying the rules of citation. Conflicts of interest in connection with other research projects must be disclosed.

(5) If discrepancies or errors are identified after a publication, they must be corrected. Publication bodies are to be informed that a correction or retraction will be made.

§ 5 Documentation

All information relevant to the generation of a research result (research data used or generated, methodological, evaluation and analysis steps, generation of the hypothesis) must be consistently documented. This also applies to individual results that do not support the research hypothesis. A selection of research results must be avoided in this context. If professional recommendations exist for the review and evaluation, the documentation shall be carried out accordingly. If the documentation does not meet these requirements, the reasons and limitations and the reasons for this are explained in a comprehensible manner. Documentation and research results must not be manipulated subsequently; they must be protected against manipulation to the best possible extent.

§ 6 Archiving

(1) Research data (usually raw data) shall be kept on the university's storage systems or in written form on publicly accessible repositories for ten years. The retention period begins on the date public access is established.

(2) The university shall ensure that the necessary infrastructure is in place to enable archiving.

(3) In the event of a change of workplace, the original data shall remain at the place of origin. A right of access for the university shall be defined. As long as there are no data protection reasons to the contrary, the authors shall be enabled to create a duplicate of the data in the event of a new workplace.

§ 7 Scientific publication

(1) As a matter of principle, scientists shall contribute their research results to the public discourse. They decide on their own responsibility whether, how and where to make their results publicly available. If, in individual cases, there are reasons for refraining from publication (e.g. in the case of patent applications), the refraining must be justified. This decision must not depend on third parties.

(2) In publications in which, in particular, new scientific results are presented, the results must be described completely and comprehensibly. Own and third party preliminary work shall be fully and correctly demonstrated (citations). Previously published results are to be repeated in a clearly identified form and to the extent necessary for understanding the context. Significant findings supporting the own results and hypotheses are to be reported, as well as those contradicting them.

(3) The publication medium shall be carefully selected by the authors and editors, taking into account its quality and visibility. An important criterion in the selection decision is whether the publication organ has established its own regulations for good scientific practice. In addition to books and journals, specialized repositories are particularly eligible.

(4) As a rule, the published scientific findings underlying research data (metadata) and materials are to be deposited in the repository of the university library or another recognized archive in an accessible manner in accordance with the FAIR principles (Findable, Accessible, Interoperable, Re-Usable), for reasons of traceability, connectivity of research and re-usability. The respective scientist is responsible for this. He or she is responsible for providing evidence of proper recording. Furthermore, every experiment as well as every numerical calculation must be recorded in all detailed steps in such a way that, if necessary, an expert can repeat the experiment or reconstruct the calculation basis. The reproducibility of a scientific experiment is its primary test. Restrictions on deposit may arise, for example, in connection with patent applications with a view to public accessibility Release after a certain time is the regular process, prevention is possible only with good reason.

§ 8 Authorship

(1) An author is a person who has made a genuine and comprehensible contribution to the content of a scientific text, data or software publication. A comprehensible and genuine contribution exists in particular if a scientist has been involved in a scientific manner in the

- the development and conception of the research project or
- the development, collection, acquisition, provision of the data, software, sources or
- the analysis/evaluation or interpretation of the data, the sources and the conclusions drawn therefrom, and/or
- participated in the writing of the manuscript

and consented to publication. If a contribution is not sufficient to warrant authorship, such support may be appropriately acknowledged in footnotes, the Foreword, or the Acknowledgement. Honorary authorship is excluded. A managerial or supervisory position does not in itself justify co-authorship.

(2) Scientists shall agree in good time, at the latest when the manuscript is being formulated, who is to be the author of the research results, on the basis of comprehensible criteria, taking into account the conventions of the discipline. The share of individual co-authors is to be documented. The authors shall bear joint responsibility for the publication, unless they explicitly state otherwise.

(3) Without sufficient reason, a required consent to a publication may not be refused. A refusal must be justified with a verifiable criticism of data, methods or results.

(4) Authors shall ensure that their research contributions are marked by the publishers or infrastructure providers in such a way that they can be cited and clearly attributed by users.

II.II. Performance Evaluation

§ 9 Evaluation Criteria and Assessments

(1) Originality and quality always take precedence over quantity as performance and evaluation criteria for examinations, for the awarding of academic degrees, promotions, hiring, appointments, and allocation of funds. Individual characteristics in curricula vitae, may be included in the formation of judgments. Criteria and evaluations shall be documented transparently.

(2) Persons who carry out evaluations or assessments or provide advice in this regard must judge independently and impartially. The objectives of § 1 of the General Equal Treatment Act must be met. Conflicts of interest arising from a competitive situation, cooperation or other relationship with authors of a submitted work or publication, project applicants or applicants for scientific positions must be disclosed to the responsible body without delay. Information and ideas, submitted manuscripts, grant applications, and qualifications to which the reviewer or committee member gains access must be treated confidentially and may not be disclosed to third parties. They may not be disposed of for personal use or to gain competitive advantage.

II.III. Responsibilities and Organization

§ 10 Responsibility of the individual scientists

Each scientist according to § 1a is responsible for ensuring that his or her own behaviour complies with the standards of good scientific practice. Professional ethics and scientific integrity also include regularly updating their knowledge of the standards of good scientific practice and the state of research. Experienced scientists and junior scientists support each other in the continuous learning and training process and have regular exchange.

§ 11 Responsibility of the university

(1) The higher education institution shall create the framework conditions for academic work.

(2) The higher education institution shall be responsible for communicating and maintaining the standards of good academic practice and for sanctioning academic misconduct. Its actions shall be geared towards prevention in order to prevent scientific misconduct from occurring in the first place. Through its organisational structure, the higher education institution shall ensure that the tasks of management, supervision, quality assurance and conflict regulation are clearly assigned and appropriately communicated. The activities referred to in § 12 shall be delegated to unit heads and working group leaders.

(3) In fulfilling its responsibilities, the institution of higher education shall take the following measures:

(a) In teaching and scientific training, the basics of good scientific practice shall be taught from the earliest possible moment. This shall be done in introductory courses of degree programmes or study programmes and later in courses to be held regularly. The lecturers shall agree with the Vice-President for Academic Affairs in which lectures or courses the contents are to be included.

b) Doctoral candidates shall be advised by their supervisors of the principles of good scientific practice. They must enclose an assurance with the notification of their doctoral project that they will comply with the principles for ensuring good scientific practice; the supervisor must confirm by signature that he or she has introduced the doctoral candidate to the rules for ensuring good scientific practice.

c) Once a year, the university shall inform the employed scientists and academics of their compliance with the principles of good scientific practice with reference to these regulations and, if necessary, of any new developments.

d) The institution of higher education shall be responsible for the existence of an ombudsman's office (§ 13) and the Commission for Self-Regulation in Science (§ 15).

e) The processes of personnel selection and personnel development shall be transparent and avoid non-scientific influences as far as possible. Gender equality, diversity and equal opportunities are

principles for the promotion of science Compliance with good scientific practice is one of the selection criteria for applicants.

f) Promotion of young academics takes place by offering career counselling and further training opportunities in accordance with the personnel development concept.

g) Quality assurance of academic work shall be ensured through

aa) with regard to teaching content through coordination within the expert committee,

bb) with regard to publication in peer-reviewed journals by the library through monitoring of the publication organs

cc) by the Research Ethics Committee through monitoring of research projects and by the Animal Welfare Committee in the case of animal experiments,

dd) through the international evaluation by the European Association of Establishments for Veterinary Education (EAEVE) to be carried out every seven years.

h) The university raises awareness through appropriate organisational measures so that abuse of authority, exploitation of dependency relationships and unjustified preferential treatment do not occur.

§ 12 Responsibility of heads of working groups and institutions

(1) In research areas in which several persons work together on scientific issues, the head of the working or research group shall be responsible for an appropriate organisation which ensures that the tasks of management, supervision, mediation of competences, conflict regulation and quality assurance are clearly assigned and actually performed.

(2) Whoever leads a working group shall be responsible for ensuring that adequate supervision is provided for doctoral researchers and students. For each of them, there must be a primary reference person in the working group who also communicates to him or her the principles for ensuring good scientific practice at the university.

(3) The heads of institution shall be responsible for ensuring that the organisation of the academic work units is such that the requirements of paragraphs 1 and 2 can be met.

(4) The heads of the institutions shall support the professional development of the academic and academic-accessory staff in their institutions in accordance with the university's personnel development concept.

§ 13 Ombudsman's Office

(1) On the recommendation of the Senate, the university management shall appoint two experienced persons from the faculty of the university for a period of four years as contact persons (ombudspersons) for members and members of the university. The ombudspersons shall be of different genders. A one-time reappointment is possible. The ombudspersons shall represent each other.

(2) Ombudspersons may not be members of the university's Presidential Board or Senate during the exercise of their office. Academics with integrity and management experience shall be considered as ombudspersons.

(3) The ombudspersons shall work independently and shall not be bound by instructions. They shall receive the necessary substantive support from the university in the fulfilment of their tasks.

(4) As an alternative to the ombudspersons of the university, there is the possibility of addressing the supra-regionally active committee "Ombudspersons for Science".

§ 14 Tasks of the ombudspersons

The ombudspersons shall advise as neutral and qualified contact persons in questions of good scientific practice and in suspected cases of scientific misconduct and shall contribute, as far as possible, to mediating conflicts. They receive enquiries while maintaining confidentiality and forward suspected cases of scientific misconduct to the responsible body according to § 19 and § 16. They support the further training of scientists, including teachers, and their exchange with each other.

§ 15 Composition of the Commission on Self-Monitoring in Science and Humanities

(1) In addition to the Vice-President for Research, the Commission for Self-Monitoring in Science shall comprise two further members from the group of professors and one member each from the groups of academic staff, students and technical and administrative staff. The Commission for Self-Monitoring in Science shall elect a chairperson and a deputy chairperson from among its members.

(2) The responsible ombudsperson shall be a member of the Commission on Academic Self-Regulation in an advisory capacity.

(3) The Commission on Scientific Self-Regulation may include other persons with special expertise in the field of a scientific matter to be assessed or with experience in dealing with relevant procedures as members in an advisory capacity.

§ 16 Tasks of the Commission on Self-Regulation in Science

(1) The Commission on Self-Regulation in Science shall meet once every six months.

(2) It shall inform itself about current developments in good scientific practice and prepare them for the university. Recommendations for action to be implemented immediately shall be forwarded to the Presidential Board. Notwithstanding the above, the Commission for Self-Monitoring of Science shall submit an activity report to the Presidential Board once a year at the end of the year.

(3) Allegations of academic misconduct shall be investigated by the Commission on Academic Self-Regulation.

III Procedure in suspected cases of academic misconduct

§ 17 Scientific misconduct

(1) Scientific misconduct shall be deemed to have occurred if, in a scientific context, the principles of good scientific practice, in particular the conduct specified in Annex 1, are violated deliberately or through gross negligence.

(2) Scientific misconduct shall also be deemed to exist in the case of conduct which results in joint responsibility for the misconduct of others, in particular through active participation, joint knowledge of falsifications, co-authorship of publications containing falsifications or gross neglect of the duty of supervision.

§ 18 Investigation and clarification of academic misconduct, confidentiality

(1) The institution of higher education shall promptly investigate any concrete suspicion of academic misconduct at the institution of higher education; this shall also apply to substantiated anonymous tips. The ombudsman's office and the Commission for Self-Regulation in Science shall be informed. Should the suspicion of misconduct be confirmed after clarification of the facts, measures appropriate to the individual case shall be taken within the scope of the possibilities available.

(2) Other legally regulated procedures shall remain unaffected.

(3) The investigation shall be conducted under the fundamental principle of the presumption of innocence.

(4) In order to protect the whistleblower and the person affected by the suspicion of scientific misconduct (hereinafter referred to as the "person affected"), all parties involved shall act in strict confidentiality until the conclusion of the proceedings, with regard to the whistleblower also beyond the conclusion. If the identity of the whistleblower is not known to the person concerned, it shall be disclosed to him or her by way of exception if the person concerned cannot otherwise defend himself or herself properly, in particular because the credibility of the whistleblower is of essential importance for the determination of the misconduct.

(5) The whistleblower must not suffer any advantages or disadvantages for his or her academic or professional advancement as a result of the report. The person concerned must not suffer any disadvantages as long as his/her scientific misconduct has not been formally established.

(6) The whistleblower's report must be made in good faith. Deliberately false accusations shall themselves constitute scientific misconduct.

§19 Involvement of the ombudsperson

The elected ombudsperson advises those who inform her/him of suspected scientific misconduct and takes up relevant tips on her/his own initiative, of which she/he may also become aware through third parties. The ombudsperson examines the allegations from the point of view of plausibility for concreteness and significance, for possible motives and for possibilities of clearing up the allegations and forwards the result of the examination together with the case to the Commission for Self-Regulation in Science for its task according to § 16 Para. 3.

§ 20 General procedural rules for the preliminary examination procedure and the formal investigation procedure

(1) The Commission on Self-Regulation in Science shall meet in non-public sessions.

(2) If a member of the Commission or the ombudsperson is concerned about bias, he or she shall not be involved in the further proceedings; if necessary, a substitute shall be appointed by the Senate.

(3) The resolutions of the Commission on Self-Regulation in Science shall be adopted by simple majority.

(4) The Commission on Self-Monitoring in Science shall be entitled to take all steps necessary to clarify the facts of the case. To this end, it may obtain all necessary information and opinions and, in individual cases, also consult the women's representative and experts from the scientific field concerned.

(5) The incriminating facts and, if applicable, evidence shall be brought to the attention of the person concerned.

(6) Both the person concerned and the whistleblower shall be given the opportunity to make an oral statement. They may call in a person of their confidence as an advisor.

(7) The Commission on Scientific Self-Regulation shall make its decisions freely, taking into account the facts of the case and the evidence obtained. As a rule, it shall decide within six months.

§ 21 Preliminary examination procedure

(1) As soon as the Commission on Scientific Self-Regulation learns of concrete suspicions of scientific misconduct, it shall give the person concerned the opportunity to comment on the suspicion within two weeks. The incriminating and exculpatory facts and evidence shall be documented in writing.

(2) After receipt of the statement of the person concerned or after expiry of the deadline, the Commission for Self-Regulation in Science shall decide within two weeks whether the preliminary examination procedure shall be terminated - with written notification of the reasons to the person concerned - because the suspicion has not been sufficiently confirmed or whether a transfer to the formal investigation procedure shall take place. The whistleblower shall be informed of the outcome of the procedure without being informed of the reasons.

§ 22 Formal investigation procedure

(1) The chairperson of the Commission on Self-Monitoring in Science shall inform the university management of the opening of the formal investigation procedure.

(2) The provisions of the VwVfG in conjunction with section 1 of the NVwVfG shall apply to the formal investigation procedure.

(3) If the Commission for Self-Monitoring of Science comes to the conclusion in the formal investigation procedure that the suspicion has not been sufficiently confirmed, it shall discontinue the procedure.

(4) If the Commission on Academic Self-Regulation considers misconduct to have been proven, it shall submit the result of its investigation to the university management for decision and further action, together with a proposal for further proceedings, also with regard to safeguarding the rights of others.

(5) The person concerned shall be informed in writing without delay of the main reasons which led to the cessation or referral to the university management. The whistleblower shall be informed of the outcome of the procedure without being informed of the reasons.

(6) There shall be no internal appeal procedure against the decision of the Commission on Academic Self-Regulation.

(7) At the end of the formal investigation procedure, the ombudsperson identifies all persons who are or were affected by the case. She advises those persons who, through no fault of their own, have been involved in processes of scientific misconduct with regard to safeguarding their personal and scientific integrity.

(8) The files of the formal investigation shall be kept for 30 years.

§23 Further procedure

(1) If academic misconduct has been ascertained, the university management shall examine the necessity of further measures both to safeguard the academic standards of the university and the rights of all those directly and indirectly affected. The punishment of academic misconduct shall depend on the circumstances of the individual case. Measures taken by the university may include, for example

- the withdrawal of the academic degree
- withdrawal of authorisation to teach,
- withdrawal of supervision of doctoral candidates

to disciplinary measures.

(2) The higher education institution shall notify the person concerned of its decision. The higher education institution shall bear the burden of presentation and proof of a decision that is detrimental to the person concerned. The decision shall be sufficiently substantiated. The whistleblower shall be informed of the outcome if he or she suffered a disadvantage as a result of the misconduct.

(3) Within the university, the academic consequences shall be examined by the responsible staff. The university management shall examine whether and to what extent other academics, former and possible cooperation partners, co-authors, academic institutions, academic journals and publishers, funding bodies and academic organisations, professional organisations, ministries and the public should or must be notified.

(4) Depending on the facts of the case, measures under labour, service, civil, criminal or regulatory law, see Annex 2, shall be initiated by the competent bodies with the appropriate procedures.

IV. Implementation

§ 24 Implementation, transitional provisions

(1) These regulations shall put into force on the day following their publication in the official announcement of the University of Veterinary Medicine. At the same time, the regulations for safeguarding good scientific practice and procedures in cases of suspected scientific misconduct for the University of Veterinary Medicine Hannover in the version of 26.02.2002, Official Announcement 34/2002, shall cease to apply.

(2) For proceedings pending until the entry into force of these regulations, the regulations for safeguarding good scientific practice and procedures in the event of suspected scientific misconduct for the University of Veterinary Medicine Hannover in the version of 26.02.2002, Official Announcement 34/2002, shall continue to apply.

Appendix 1:

Scientific misconduct

Scientific misconduct may include, in particular:

1. creation and use of false data in particular by

- Faking and suppressing data,

- Falsifying data, e.g. by using incomplete data and not taking into account undesired results without disclosing this, as well as by manipulating representations or illustrations, and

- Incorrect information in an application letter, grant proposal or publication, including misrepresentation of the publication medium and publications in print, etc.

2. infringement of intellectual property

in relation to a copyrighted work created by another person or essential scientific findings, interpretations, hypotheses, teachings or research approaches originating from others, in particular through

- the unauthorised exploitation by claiming authorship or co-authorship (plagiarism),

- the exclusion of legitimate authorship,

- exploitation of research approaches and ideas of others, especially as a reviewer ("theft of ideas"),

- unauthorised publication and unauthorised making available to third parties as long as the work, finding, interpretation, hypothesis, teaching or research approach has not yet been published, and

- claiming the (co-)authorship of a person without that person's consent

3. violation of documentation obligations

4. elimination of primary data to the extent that legal provisions or discipline-related recognised principles of scientific work are violated.

5. interfering with the research activities of others, for example by sabotaging research activities, including damaging, destroying or tampering with literature, archival and source materials, experimental arrangements, equipment, records, hardware, software, chemicals or other property needed by another or others to carry out a research project.

Appendix 2:

List of possible consequences for scientific misconduct according to the applicable legal provisions

Consequences under labour law or service law are e.g.

- warning,
- extraordinary dismissal, possibly dismissal on suspicion,
- ordinary dismissal,
- termination of contract and
- removal from service.

Civil law consequences are e.g.

- Issuance of a ban from the premises,
- claims for restitution against the person concerned,
- claims for removal and injunctive relief,
- claims for restitution (scholarships, third-party funds or similar) and
- claims for damages.

Criminal law consequences are, for example

- Criminal charges or criminal complaint for:
- Copyright infringement,
- forgery of documents,
- damage to property,
- property offences,
- violation of personal privacy and secrecy, and
- Offences against life and physical integrity.

Consequences for students are e.g.

- denial of notes etc. related to academic misconduct and
- partial house ban.