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Principles and procedures for handling scientific misconduct

Considering the recommendations of the Deutsche Forschungsgemeinschaft (German Research Foundation) for safeguarding good scientific practice of 1998 and 2013 the Senate of WHU – Otto Beisheim School of Management determined the following principles and procedures on September 14th 2016, to supplement the existing Regulations.

I. Principle guidelines

(1) As a scientific Business School, WHU – Otto Beisheim School of Management considers itself obligated to research and equally research-oriented and practice-relevant teaching.

The Business School thus pursues the safeguarding of scientific standards as the pivotal mission of its members.

Scientific work is considered a methodical, systematic and verifiable approach, the prerequisites of which is the fidelity of the scientist as well as the readiness of the individual to assume responsibility for the achievement of scientific and social progress as a part of the scientific community. Dishonesty in scientific work contradicts the self-imposed claim of science. Its prevention is not left to the subjective discretion of the individual scientist. The Business School, as a place of research, teaching and advancement of young scientists, is also encumbered with an institutional and each individual member of the Business School with a personal responsibility to avoid scientific misconduct.

Scientific results have to be rigorously questioned. This also includes openness for critique and doubts of expert colleagues and staff, the diligent, unselfish and impartial assessment of the work of colleagues as well as the omission from assessments in case of partiality.

(2) Originality and quality always take priority over quantity, particularly at examinations and the awarding of academic degrees, staff recruitment and appointments as well as the evaluation of research performances.

(3) These guidelines provide substantial orientation for correct scientific conduct. They are not to be considered a conclusive itemisation of scientific misconduct, as the penalty always requires the consideration of the circumstances of the individual case. Furthermore, these guidelines regulate the process in case of suspected scientific misconduct.

(4) All members of WHU in terms of its Charter have to be informed of these guidelines. The scientific personnel is furthermore to be especially obligated to comply with these Guidelines. In existing employment relationships, the obligation occurs by way of written confirmation by the member that the Guidelines have been acknowledged and shall be incorporated in all future employments with a respective declaration in the employment agreement.

II. Young Scientists

The education and advancement of young scientists enjoys special attention at WHU – Otto Beisheim School of Management. On one hand, the Business School perceives its responsibility for young scientists and the students in the various programs of the Business School by intensively imparting the principles of good scientific practice to this group of people and by urging them to act responsibly in science. On the other, WHU – Otto Beisheim School of Management ensures the sufficient mediation of relevant theoretical and methodological expertise as well as the appropriate support of young scientists. Each doctoral candidate has to have at least one primary mentor who provides sufficient time for this care. Also the ombudsperson of WHU – Otto Beisheim School of Management is available to young scientists for advice and assistance and to mediate conflict situations.

III. Storing and traceability of primary data

(1) Primary data as the basis for publications (incl. scientific lectures) are principally to be stored on sustainable and secured carriers for a minimum of ten years after formal publication and provided upon justified request. Such primary data includes all data on which a publication is based, including data with quantitative as well as with qualitative information.

(2) The plausibility of the primary data must be ensured so it is not only clearly comprehensible for those involved in the research process, but also for non-involved persons. For this purpose, also the auxiliary equipment (e.g. questionnaires, interview guidelines, vignettes for conduct experiments), which was used to obtain primary data, has to be stored.

(3) The existence and traceability of data represent a pivotal, constructive feature of scientific work of empirical character in economics / business sciences. The lack of comprehensible primary data as well as the refusal to submit it to third parties within the period from the first submission for the evaluation by the respective publication body (e.g. scientific journal or conference) up to 10 years after the formal publication, thus prima facie justifies the suspicion of negligent or gross negligent scientific misconduct.

IV. Authorship and co-authorship

(1) Own and foreign groundwork in scientific publications has to be specified complete and correct, complying in type and manner with the scientific customs, nominating the authors and the respective publications. Previously published results and content may only be repeated in a clearly declared manner.

(2) If several persons are involved in a research project or the compilation of a scientific report, those persons are to be nominated as co-author who have contributed essentially to the establishment of the issue, the research plan, the execution of the research project, the evaluation or interpretation of the results as well as the establishment of the draft or to critical content revisions of the manuscript.

(3) The participation in the data collection without the co-design of the content, the provision of financial funding or the general management of the unit in which the research has been conducted cannot justify co-authorship. This also applies for mere proofreading of the manuscript without co-designing the content. Such forms of involvement can be mentioned with a footnote. So-called "honorary authorship" is not consistent with the principles of a good scientific practice.

(4) A co-author is responsible for the correctness of the own contribution as well as for ensuring that the contribution is being incorporated into the publication in a scientifically justifiable manner. However, the consent to being mentioned as co-author also substantiates the shared responsibility of all authors that the publication as a whole complies with the scientific requirements.

In case of scientific misconduct of one or several co-authors, the responsibility of the remaining authors is omitted if they had no feasible opportunity to prevent the error based on the specific circumstances. Accordingly, not only those persons who caused it are responsible for gross and obvious violation, but also those further co-authors who could have reasonably prevented it.

(5) It is irreconcilable with good scientific practice if it was omitted to nominate a scientist as co-author in a publication without his consent, even though he provided a significant contribution for the establishment of the scientific project in terms of this paragraph. This also applies if a scientist is specified as co-author without his prior consent or his subsequent permission.

V. Scientific misconduct

(1) Scientific misconduct exists if basic rules of scientific work were intentionally or gross negligently violated. The circumstances of the individual case are decisive for the assessment of the circumstances.

(2) The following cases – in particular / exemplary – apply for grave misconduct of this type

1. False declarations or falsification by

- inventing data
- falsification of data,
- manipulation of a representation or illustration
- omitted disclosure of own, previously published results or contents (self-plagiarism)
- wrongful application of statistic processes with the intention to interpret data in an unjustified manner
- distorted interpretation of results and unjustified conclusions
- incorrect information in an application letter or a funding application (incl. incorrect information regarding the publication organ and to publications allegedly being printed)

2. Violation of intellectual property, i.e. abuse of copy right protected works, scientific findings, hypotheses, tenets or research approaches of others by

- unauthorised utilisation under the hubris of authorship (plagiarism),
- exploitation of research approaches and ideas, particularly in connection with review processes (intellectual property theft),
- hubris or unjustified assumption of scientific author or co-authorship
- falsification of content,
- unauthorised publication and providing unauthorised access to third parties, as long as the work, the findings, the hypothesis, the tenet or the research approach has not been published,

3. Impairment of the research activity of others by

- utilisation of (co-)authorship of another without his consent,
- sabotage of research activity (incl. damage, destruction or manipulation of test assemblies, devices, documents, hardware, software or other items which another person requires for the execution of his scientific work and teaching);

4. Limited traceability of scientific results or content, e.g. by way of

- destruction or insufficient storing of primary data according to paragraph III of these Guidelines,
- violation of obligations to warrant the traceability of primary data according to paragraph III of these Guidelines,
- limited precautions or lack of willingness to replicate the empirical research results of a publication with the given primary data,
- omitted warranty of traceability of the formation of illustrated research results or other scientific contents (e.g. “propositions” or conceptual models). Objective traceability in this case means that the formation of results or contents (e.g. results of statistic evaluations) has to be clearly comprehensible for a qualified person which was not involved in the research process;

5. Co-responsibility for the scientific misconduct of others, particularly by

- active involvement in the misconduct,
- shared knowledge of falsifications or other misconduct,
- gross negligence of supervisory obligations,
- violation of obligations as co-author according to paragraph IV of these Guidelines

6. Scientific misconduct can also pertain to a lack of the researcher's willingness to cooperate with entitled institutions (e.g. the Commission to Safeguard Good Scientific Practice of WHU – Otto Beisheim School of Management or editors of an affected scientific journals) to clarify any possible scientific misconduct.

VI. Ombudsperson

(1) At the suggestion of the Dean, the Senate of WHU – Otto Beisheim School of Management appoints an experienced Full Professor working full-time for the Business School as a contact person for the members of the Business School with questions regarding good scientific practice or allegations of scientific misconduct (ombudsperson). The appointment is valid for three years. A repeated appointment is possible. Members of the Executive Committee cannot be appointed ombudsperson.

(2) Due to his personal authority, integrity and neutrality, the ombudsperson shall represent a competent and trustworthy contact person. He consults those informing him of an alleged scientific misconduct and is furthermore entitled to take up hints which come to his attention. He checks the allegation for specificity and significance according to plausibility aspects, for possible motives and with regards to a possible elimination of the allegations. If the ombudsperson is not able to eliminate the allegations, he shall transmit the allegation of scientific misconduct to the Commission to Safeguard Good Scientific Practice, who shall examine the matter.

(3) The ombudsperson should be accessible to all members of the Business School and is equipped by the Business School with appropriate tools. Each member of the Business School may demand to personally speak with the ombudsperson within an appropriate period.

(4) At the suggestion of the Dean, the Senate shall appoint a deputy for the ombudsperson.

VII. Commission to Safeguard Good Scientific Practice

(1) To support the Dean in issues of imparting good scientific practice as well as the clarification of scientific misconduct independent of the Executive Committee, the Senate of WHU – Otto Beisheim School of Management, at the suggestion of the Dean, appoints a Commission to Safeguard Good Scientific Practice, consisting of four members. At least one member has the qualification as a judge, at least two are full-time Full Professors of WHU – Otto Beisheim School of Management, one member is a research assistant of the Business School. At the suggestion of the Dean, the Senate appoints one deputy for each member of the Commission.

(2) The Commission is respectively appointed for three years and equipped by the Business School with appropriate tools. The chair is occupied by the member with the qualifications to be judge. In the event of a tie vote, the vote of the chairperson is decisive. The Commission can consult the ombudsperson as well as other persons with a consulting voice.

VIII. Procedure

Ombudsperson and Commission base their work on the following rules of procedure. If required, changes to this procedure can be suggested to the responsible committees.

1. General principles of the procedure

- The Commission does not meet publicly. Up to the verification of a misconduct, it shall treat information regarding persons involved in the proceedings as well as any findings confidential.
- The individual process sections have to be concluded within an appropriate period.
- The process of the procedure has to be documented in basic features.
- The prejudice of an investigator (ombudsperson or member of the Commission) can be asserted at any time by himself as well as the person concerned. The Commission rules regarding the rejection due to prejudice under exclusion of the rejected person.

2. Preliminary examination

- As a general rule, the ombudsperson or a member of the Commission is informed immediately in case of specific suspicious circumstances for scientific misconduct. The information is to be submitted in writing; in case of verbal information, a written note regarding the suspicion and the substantiating evidence has to be made.
- The ombudsperson submits the allegations of scientific misconduct in terms of section VI (2), sentence 4, maintaining confidentiality for the protection of the informing person and the affected person, to the Commission for further investigation.
- The Commission immediately grants the person suspected of misconduct the opportunity to make a statement, specifying the incriminating facts and evidence. The period for the statement is two weeks during the lecture period, otherwise four weeks.
- Following the receipt of the statement from the accused person and/or the expiration of the term, the Commission decides immediately whether the preliminary examination procedure is to be suspended – under provision of the reasons to the affected person and the informant – because the suspicion was not sufficiently confirmed and/or turned out to be unfounded, or whether this should be transferred to the formal investigation procedure.
- If the informant does not agree to the suspension of the examination procedure, he is entitled to speak before the Commission within four weeks; in this case, the Commission shall recheck its decision.

3. Formal investigation

- The Dean is informed of the commencement of formal investigation procedures by the chairperson of the Commission.
- The Commission is entitled to take all steps for the clarification of the facts at its discretion. In this context, it can obtain the necessary information and statements, consult experts from the field of a scientific fact to be determined as well as experts for the handling of such cases as further members with a consulting voice.
- In its free consideration of the evidence, the Commission checks whether misconduct has been committed. The scientist accused of misconduct has to be given the opportunity to make a statement in a suitable manner. At his request, the accused can be heard verbally; he is entitled to consult a representative for support. This also applies for other persons to be heard.
- It may be required to disclose the name of the informant, if the accused is otherwise not able to properly defend himself; this particularly applies if the credibility and motives of the informant with respect to the allegation of possible misconduct is of significance.
- If the Commission does not consider misconduct proven, the procedures are suspended and the Dean is informed of the suspension. If the Commission considers misconduct proven, it presents the result of its investigations to the Dean in writing. The report should also contain a suggestion regarding the further procedure of the Dean.
- The accused and the informant have to be informed in writing of the essential reasons, which led to the suspension of the procedure or transfer to the Dean without undue delay.
- An internal complaint procedure against the decision of the Commission is excluded.

- At the end of a formal investigation procedure, the persons, in particular the young scientists and students, which were innocently involved in the procedure of scientific misconduct, are consulted with respect to the safeguarding of their personal and scientific integrity.
- The files of the formal investigation are stored in the Dean's Office.

4. Further procedure

- If scientific misconduct has been discovered, the Dean verifies the necessity of all further measures to safeguard the scientific standard of the Business School as well as the rights of all directly and indirectly involved persons. The prosecution of scientific misconduct is based on the circumstances of the individual case.
- In the Business School, the academic consequences, e.g. the withdrawal of academic degrees or the withdrawal of teaching qualifications and/or teaching authority have to be verified. The Dean decides whether and to which extent other scientists (previous and possible cooperation partners, co-authors), scientific institutions, scientific journals and publishing houses (in case of publications), funding agencies and scientific organisations, professional associations, ministries and the public need to be notified.
- Depending on the facts, the respectively responsible organs commence the labour, civil, criminal or regulatory measures with the respective procedures.

IX. Entry into force

These principles and procedures enter into force on the date of their publication by the Dean. At the same time, the principles and procedures in the version of 12.09.2002 are invalid.

Vallendar, September 14th, 2016

Prof. Dr. Markus Rudolf
Dean