

On 12/12/2012 the Senate of the Georg-August-University Göttingen decided upon the first amendment of the Statutes of the Georg-August-University Göttingen for ensuring good scientific practice of 14/03/2012 (Article 15 clause 2, 41 para. 1 clause 1 NHG [Lower Saxony Higher Education Act] in the version of the Announcement from 26 February 2007 (Nds. GVBl. [Lower Saxony Law and Ordinance Gazette] p. 69), last amended by Article 1 of the law of 29 June 2011 (Nds. GVBl. p. 202), in conjunction with Art. 18 clause 2 of the Constitution of the Georg-August-University Göttingen (GO) in the version of the Announcement from 20 December 2010 (Official Announcement No. 58/2010 p. 6347), last amended by the resolution of the Senate from 6 July 2011 (Official Announcement No. 21/2011 p. 1699), Art. 15 clause 2, 41 para. 1 clause 1 NHG in conjunction with Art. 18 clause 2 GO):

Statute of the Georg-August-University Göttingen for ensuring good scientific practice

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Preamble

(1) ¹Within the scope of its legal obligations, the Georg-August-University Göttingen (hereinafter referred to as "the University") is responsible for the organisation of research, teaching and the promotion of young scientists. ²Teaching and the promotion of young scientists are inseparably connected to research. ³The University thus has a special interest in maintaining and promoting an atmosphere of openness, creativity and motivation. ⁴An active scientific life, which takes place in appropriate research groups, is an important element in the prevention of scientific misconduct. ⁵In assuming its responsibility, the University takes precautions against scientific misconduct.

(2) ¹The University will therefore pursue each genuine suspicion of scientific misconduct. ²If, following clarification of the facts, the suspicion of misconduct is confirmed, the necessary steps in each individual case will be taken within the scope of the legal or regulatory possibilities.

Section I

General principles

1 Rules of good scientific practice

(1) ¹In their scientific work at the University, members and staff of the University who are engaged in research must observe the rules of good scientific practice. ²These comprise

1. the general principles of scientific work, such as

a. work according to the rules of the profession, including their ethical and legal prerequisites,

b. the documentation of results,

- c. consistent and self-critical examination of all results and, where applicable, regular discussions about the results in the corresponding research group,
 - d. maintaining strict integrity with regard to the contributions of other people, as well as
2. observing specific regulations for individual subject areas.
- (2) Primary data that serves as the basis for publications must be stored for ten years on secure and reliable data storage devices in the scientific institution (department, institute, clinic) in which the data has been created, provided that this is necessary for the purpose of verifiability.
- (3) Without prejudice to the responsibility of the University management, each faculty and institution is responsible in their respective areas for an appropriate level of organisation which ensures that
1. the tasks of management, supervision, quality assurance and conflict resolution are
 - a. clearly assigned and
 - b. actually carried out,
 2. young scientists receive guidance and support in line with their level of training and education.
- (4) As a rule, originality and quality take priority over quantity as performance and evaluation criteria for assessments for awarding academic degrees, promotions, staff appointments, offers of professorial positions and fund allocations.

2 Obligation of scientific personnel to respect the rules of good scientific practice

¹The rules stipulated in this Statute are mandatory for all staff involved in scientific work at the University. ²The rules are published in the University course programme¹ and provided to each researcher when starting work, together with a warning that all cases of scientific misconduct will be thoroughly pursued.

3 Preventive measures

- (1) With regard to ensuring good scientific practice at the University, it is necessary to introduce measures that are suited to preventing scientific misconduct in the first place.
- (2) ¹The University assumes this responsibility vis-a-vis its graduates by teaching the principles of good scientific work and good scientific practice to students as early as the introductory classes of the basic study period, making reference to these rules, and urging them to act with honesty and responsibility in scientific practice. ²The faculties are required to adequately address, in regularly

¹ Available through the university's online services at:
<http://univz.uni-goettingen.de/qisserver/rds?state= user&type= 0>

held courses, the principles of scientific work, good scientific practice and the risk/possible occurrence of scientific misconduct.

(3) ¹As an admission requirement for habilitation, assistant professors must submit a written statement in which they pledge to follow these guidelines; junior professors must do the same before they can be appointed. ²A corresponding admission requirement must be included in the applicable habilitation regulations. ³Clause 1 applies analogously to PhD candidates. ⁴A corresponding admission requirement must be included in the applicable regulations for doctoral studies.

(4) ¹The University assumes its responsibility vis-a-vis scientific and technical personnel by regularly briefing this group of personnel at faculty level on the principles of scientific work and good scientific practice, making reference to the guidelines for good scientific practice. ²The briefing must be recorded in writing and confirmed with a signature.

4 Scientific misconduct

(1) ¹Scientific misconduct is deemed to have occurred in particular if, within a scientific context, a person intentionally or in a grossly negligent manner:

- a. provides false information,
- b. violates the intellectual property of others,
- c. performs measures that could adversely affect the research activities of others,
- d. violates the accepted rules of authorship (see Annex II).

²A catalogue of conduct that is particularly deemed to constitute scientific misconduct is included in Annex I of this Statute.

(2) The particular circumstances of each individual case are decisive.

(3) If several persons are involved in a case of scientific misconduct, each of them is individually responsible for the misconduct.

(4) The failure to perform an action will be deemed to constitute scientific misconduct if the person in question is in breach of an obligation by failing to perform the action and this equates to scientific misconduct by performing an action.

5 Contact persons in the case of suspected scientific misconduct

(1) ¹In cases of suspected scientific misconduct, the members and staff of the University may choose to contact the ombudspersons (Art. 7) first, or the ombuds committee (Art. 8) directly. ²In matters pertaining to the Medical Center, Art. 7 and Art. 8 shall be replaced by Art. 10 (Ombudspersons of the Medical Center) and Art. 11 (Ombuds Committee of the Medical Center).

(2) Both for University and Medical Center a central office shall be set up; the respective office shall manage the administration of the ombuds procedures and shall administrate the respective records.

Section II

Procedure in the case of suspected scientific misconduct

¹The following rules (Art. 6-11) govern the procedure in cases of scientific misconduct. ²Art. 7-9 pertain to procedures in the University (Part I), Art. 10 and 11 in conjunction with Art. 9 pertain to procedures in the Medical Center (Part II).

6 Duty to resolve; consequences

(1) ¹The University will pursue each genuine suspicion of scientific misconduct. ²This will be performed by

a) the ombudspersons and the ombuds committee for the University (Art. 7 and 8) and for the Medical Center (Art. 10 and 11) as well as

b) the investigating committee pursuant to Art. 9 both for University and Medical Center, and

c) administratively, the respective ombuds office

in accordance with the procedure specified in these Statutes.

(2) If, after determining the facts of the case, the suspicion of scientific misconduct is confirmed, the President, within the scope of the legal possibilities, will initiate the steps required in each instance under public sector employment law, labour law, higher education legislation, civil law or criminal law.

(3) Without prejudice to the provision under Art. 9 para. 4 of this Statute, disclosure of the informer's name – even towards the persons involved in the proceedings – shall require the informer's consent, provided that the informer is deemed to have a legitimate interest in confidentiality being maintained.

(4) The proceedings must be adequately recorded in writing.

Part I: Ombuds procedures in the University (without Medical Center)

7 Ombudspersons for internal regulation in scientific practice

(1) ¹The Senate selects four people from the group of University teachers to act as ombudspersons for a period of four years. ²One ombudsperson is selected for each of the following areas:

a) Humanities and Theology,

b) Law, Social Sciences and Economic Sciences,

c) Natural Sciences, Mathematics and Informatics.

³The ombudsperson should have experience in training young scientists and should also be familiar with conducting research projects, including within an international context. ⁴In the case of a

conflict of interest or other personal hindrance, the Senate will choose a personal deputy for each member.⁵ After a member's period of office has expired, a re-election is possible.

(2) ¹The ombudspersons are responsible for all members and staff of the University. ²The work of the ombudspersons is defined by the aim of mediating between those involved in the proceedings, where possible and factually justified. ³In his/her capacity as a person of trust, the ombudsperson assigned in each individual instance advises those who inform him/her of a genuine case of suspected scientific misconduct, and on his/her own initiative pursues any pertinent specific evidence that he/she becomes aware of.

(3) ¹The ombudsperson assigned in each individual instance examines the plausibility of the accusations with regard to their genuineness and significance, possible motives and possible ways to resolve the accusations. ²If no conciliation is reached during the course of the mediation efforts by the ombudsperson, and there is a genuine suspicion of scientific misconduct, the ombudsperson will inform the ombuds committee.

8 Investigation by the ombuds committee

(1) ¹The ombuds committee consists of the ombudspersons pursuant to Art. 7 para. 1 clause 1. ²When determining which decision in para. 3 to adopt, the ombuds committee must investigate the facts. ³The ombuds committee will endeavour to mediate between the persons involved in the proceedings, if possible and factually justified.

(2) ¹The ombuds committee will give the person suspected of scientific misconduct the opportunity to put forward their side of the argument in a suitable form and within an appropriate period of time to be determined by the committee, making him/her aware of the incriminating facts and evidence. ²Where appropriate, the ombuds committee will give the informer the opportunity to also put forward his/her opinion. ³The ombuds committee may obtain opinions in a suitable form from additional people acting in the capacity of witnesses or experts. ⁴Verbal opinions that are put forward during the course of the investigation pursuant to Art. 8 of this Statute must be noted in writing.

(3) As soon as possible after completion of the hearing procedure pursuant to para. 2, the ombuds committee will reach one of the following decisions and will inform the persons pursuant to para. 2 of this decision, except those who were heard as witnesses or experts:

1. The preliminary investigation is terminated because suspicion has not been adequately confirmed or has been proved to be unfounded.
2. The preliminary investigation is terminated because, during the scope of the proceedings, the possibility arose to resolve the accusations in mutual agreement with the participants, and intervention because of scientific misconduct is not (or no longer) required.

3. The preliminary investigation is terminated because the case of scientific misconduct is of a less serious nature; the ombuds committee can make the termination dependent on the fulfilment of certain conditions.
4. The investigation is passed on to the investigating committee pursuant to Art. 9; in such instance, the documents, together with a statement, will be forwarded to the chairperson(s) of the investigating committee.

(4) The decisions in para. 3 items 1-4 must be justified in writing; in the event of a decision pursuant to item 3, the justification should specify in particular the nature and seriousness of the scientific misconduct.

(5) ¹Should the informer not agree with the preliminary investigation being terminated, he/she may file an objection (in writing) to the chairperson of the investigating committee within two weeks of being notified of the reasons pursuant to para. 3, items 1-3, stating the grounds for his/her objection. ²The investigating committee will decide whether the termination of the preliminary investigation should stand or if a formal investigation should be initiated; para. 2 and 3 apply accordingly.

9 Formal investigation by an investigating committee

(1) ¹The formal investigation will be carried out by an investigating committee recommended by the President and appointed by the Senate for a period of four years. ²The committee consists of five suitable persons, including the chairperson, one of whom must be qualified for judgeship, and at least two of whom should come from outside the University; one member must pertain to the Faculty of Medicine and shall be appointed by the Faculty Council of the Faculty of Medicine. ³The chairperson's function can only be performed by a member qualified for judgeship. ⁴In the case of a conflict of interest or other personal hindrance, the Senate will choose a personal deputy for each member. ⁵After a member's period of office has expired, a re-appointment is possible. ⁶The investigating committee may call upon experts as members acting in an advisory capacity.

(2) ¹The committee's chairperson will inform the President of the initiation of the formal investigation proceedings. ²The committee's deliberations will take place orally and behind closed doors. ³With full access to the evidence presented, the committee will examine whether scientific misconduct has occurred.

(3) ¹The committee will give the person suspected of scientific misconduct the opportunity to put forward their side of the argument in a suitable form and within an appropriate period of time to be determined by the committee, making him/her aware of the incriminating facts and evidence. ²Where appropriate, the committee will give the informer the opportunity to also put forward his/her opinion. ³The ombuds committee may obtain opinions in a suitable form from additional people acting in the capacity of witnesses or experts. ⁴Verbal opinions that are put forward during the course of the investigation pursuant to Art. 9 of this Statute must be noted in writing.

(4) ¹The person concerned, as well as the informer, may be heard orally, if requested; to this end, they have the right to call upon the support of a person who they trust. ²On request, the person concerned must be granted access to the records, where legally permissible. ³On request of the person concerned and if approved by the committee, his/her supporting party may also be granted access to the records within the scope of the legal or regulatory possibilities.

(5) ¹As soon as possible after completion of the hearing procedure pursuant to para. 2-4, the committee will reach one of the following decisions:

1. The investigation is terminated because suspicion has not been adequately confirmed or has been proved to be unfounded.
2. The investigation is terminated because, during the scope of the proceedings, the possibility arose to resolve the accusations in mutual agreement with the participants, and intervention because of scientific misconduct is not (or no longer) required.
3. The investigation is terminated because the case of scientific misconduct is of a less serious nature. The ombuds committee can make the termination dependent on the fulfilment of certain conditions.
4. Due to a proven occurrence of scientific misconduct, the investigation will be presented to the President, along with a decisive proposal containing the necessary measures (sanctions).

²Each decision must be justified. ³In the case of items 3 and 4, the justification should specify in particular the nature and seriousness of the scientific misconduct. ⁴In the event of a decision pursuant to para. 5 item 4, the relevant scientific administration that the person works for pursuant to para 3 clause 1 must be informed thereof in writing, along with the relevant Dean.

Part II: Ombuds procedures in the Medical Center

In cases of suspicion of scientific misconduct pertaining to the Medical Center the following rules pursuant to Art. 11 and 12 shall apply:

10 Ombudspersons for the Medical Center

(1) ¹ The Faculty Council of the Faculty of Medicine selects five persons from the group of University teachers of the Medical Center to act as ombudspersons for a period of four years. ²The ombudspersons are responsible for all members and staff of the Medical Center; Art. 7 para. 1 sentence 3-5 and Art. 7 para. 2 sentence 2 and 3 apply accordingly.

(2) ¹To the examination of the suspicion by the Ombudspersons, Art. 7 para. 3 applies accordingly; the Ombuds Committee of the University shall be replaced by the Ombuds Committee of the Medical Center. ²If no conciliation is reached during the course of the mediation efforts by the om-

budsperson, and there is a genuine suspicion of scientific misconduct, the ombudsperson will inform the Ombuds Committee of the Medical Center. ³In case the examination of the allegations does not consolidate a concrete suspicion of scientific misconduct, the Ombudspersons shall submit the case to the Ombuds Committee of the Medical Center (Art. 11 para. 1 in conjunction with Art. 8 para. 1) for decision on the closing of the proceedings.

11 Investigation by the Ombuds Committee of the Medical Center

(1) ¹The Ombudspersons pursuant to Art. 10 constitute the Ombuds Committee of the Medical Center. ²To the ombuds procedures in the Ombuds Committee of the Medical Center, Art. 8 shall apply accordingly.

(2) In case a concrete initial suspicion has consolidated and no decision on the closing of the proceeding proves to be appropriate, the Ombuds Committee of the Medical Center submits the proceeding to the Investigating Committee of the University (Art. 9); the further proceeding is governed by Art. 9 of this statute.

Part III: Common reporting

12 Additional measures; storage of records

(1) ¹In a yearly and to the extent necessary, anonymized report, the ombuds committee of the University will inform the President of the cases being handled by the former. ²Once each year, the president will inform the Senate of the content of the report provided by the ombuds committee.

(2) The Ombuds Committee of the Medical Center informs the Management Board of the Medical Center about its work in a yearly and to the extent necessary, anonymized report; accordingly the Management Board of the Medical Center informs the Senate of the University once a year.

(3) ¹The records of the formal proceedings will be stored for 30 years. The storage shall be done by the respective ombuds office. ²Upon request, the members and staff of the University who are named in connection with a case of proven scientific misconduct will receive from the appropriate ombudsperson an attestation to their exoneration for the duration of the storage period pursuant to clause 1.

Section III

Concluding provision

13 Inception

(1) ¹This Statute will come into force on the day after being published in the University's Official Announcements. ²At the same time, the guidelines of the Georg-August-University Göttingen for

ensuring good scientific practice in the version of 14 December 2005 (Official Announcement of the Georg-August-University Göttingen from 28 December 2005 / No. 17 page 1110) will cease to be effective.

(2) Until the inception pursuant to para. 1, the cases of scientific misconduct that have been assigned to the relevant people pursuant to Art. 6, 7 of the guidelines of the Georg-August-University Göttingen for ensuring good scientific practice in the version from 14 December 2005 (Official Announcement of the Georg-August-University Göttingen from 28 December 2005 / No. 17 page 1110) shall be subject to the provisions of the guidelines of the Georg-August-University Göttingen for ensuring good scientific practice in the version from 14 December 2005 (Official Announcement of the Georg-August-University from 28 December 2005 / No. 17 page 1110), without prejudice to para. 1.

Annexes

I. Catalogue of conduct that is deemed to constitute scientific misconduct

The following in particular are deemed to constitute scientific misconduct:

1. False information:

- a. inventing data;
- b. falsifying data, for example
 - (1) by selecting or rejecting undesired results without disclosing such;
 - (2) by manipulating a representation or figure;
- c. providing incorrect information in a job application or a grant application (including false information about the publishing institution and about the publications that are in the process of being published);
- d. deception of grant providers/ third parties funding research, on decision-making aspects (including disregard of the prohibition of double funding, i.e. application for funds of the same or a different grant provider for the same funding object).

2. Infringement of intellectual property:

- a. in connection with someone else's work that is protected by copyright or someone else's significant scientific findings, hypotheses, teachings or research approaches:
 - (1) unauthorised exploitation under pretension of authorship (plagiarism),
 - (2) exploiting research approaches and ideas, especially as an expert (theft of ideas),
 - (3) assuming or claiming scientific authorship or co-authorship without grounds,
 - (4) falsifying content or
 - (5) unauthorised publication or provision to third parties, provided that the work, the findings, the hypothesis, the teaching or the research approach has not yet been made public;
- b. claiming (co-)authorship without the author's approval.

3. Adversely affecting the research activities of others:

- a. sabotaging research activities (including damaging, destroying or manipulating experimental setups, instruments, documents, hardware, software, chemicals or other items that someone needs to conduct an experiment),
 - b. eliminating primary data, if this violates legal provisions or accepted principles of scientific work in the discipline concerned.
4. Violating the recognised rules of authorship (see Annex II).

II. Recognised rules of authorship (grounds, duties)

¹All persons specified as authors of a publication must have the right to authorship, and all persons with the right to authorship must be named as the author. ²Each author must have participated sufficiently on a publication in order to be able to assume responsibility in public for the portion of the content assigned to him/her. ³In the case of an authors' collective, its prominent members (e.g. first authors, corresponding or senior authors) must take responsibility for ensuring good scientific practice with regard to the work as a whole, from its inception through to its publication.

⁴Grounds for authorship only exist in the event of:

- a) a substantial contribution to the concept and planning, as well as the acquisition, analysis and interpretation of data,
- b) drafting or critical revision of the publication to a significant extent, and
- c) final approval of the publication in the version that is to be submitted for publishing.

⁵Each of the conditions in a), b) and c) must be met by an author. ⁶The solicitation or allocation of funds, the collection of data, or the general direction of a research institution or group do not in themselves represent grounds for authorship.

⁷If research work has been conducted by several research groups together, the entire group shall have the right to authorship. ⁸All members of this group who are named as authors must fulfil the aforementioned conditions under a), b) and c). ⁹The order in which the authors will be listed must be mutually agreed upon by all co-authors. ¹⁰The reasons for the order in which the authors are listed must be objectively discernible.