EBS
UNIVERSITÄT

# Guidelines for ensuring good scientific practice

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# PREAMBLE

Compliance with the rules of good scientific practice is an important prerequisite for the recognition of scientific work by the public and the scientific community. Violations of these principles destroy public trust in science and trust among scientists themselves. With the standards formulated below, we therefore aim to raise awareness of the requirements of good scientific work. At the same time, we endeavour to show how we ensure the quality of scientific work at EBS Universität für Wirtschaft und Recht and how we intend to deal with misconduct, considering the circumstances of each individual case.[1]
[2]

[1] These rules of good scientific practice have been adopted, in part unchanged and in part adapted, from the German Research Foundation (DFG) code of conduct "Guidelines for Ensuring Good Scientific Practice" (https://www.dfg.de/download/pdf/foerderung/rechtliche_rahmenbedingungen/gute_wissenschaftliche_praxis/kodex_gwp.pdf). The procedure for suspected scientific misconduct described in Section III was developed based on the DFG's rules of procedure for dealing with scientific misconduct (https://www.dfg.de/formulare/80_01/). Valuable suggestions were also taken from the rules and guidelines for good scientific practice of the TU Dortmund (https://www.tu-dortmund.de/storages/tu_website/Referat_1/Dokumente___Ordnungen/2020_Regeln_guter_wissenschaftlicher_Praxis.pdf).

[2] Adopted by the Senate of EBS Universität on June 25, 2024.

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# 1 Standards of good scientific practice

## 1.1 Commitment to the rules of good scientific practice

(1) EBS Universität für Wirtschaft und Recht is committed to complying with the standards of good scientific practice.

(2) The standards are communicated to members of EBS, and all researchers working at the university are required to comply with them. The fundamentals of good scientific practice are taught at the earliest possible stage of academic teaching and scientific training. All researchers at EBS regularly update their knowledge of the standards of good scientific practice and the current state of research.

## 1.2 Principles of good scientific practice

(1) All researchers at EBS Universität are responsible for ensuring that their conduct complies with the principles of good scientific practice and that they implement and uphold the fundamental values and standards of scientific work in their actions.

(2) One of the key principles is to work lege artis, i.e. in accordance with the latest scientific findings and methods accepted in the respective discipline. All researchers at EBS are required to maintain honesty with regard to their own contributions and those of third parties, to consistently question all results themselves, and to allow and encourage critical discourse within the scientific community.

(3) Members of EBS are obliged to be honest and truthful in publications, theses, lectures, expert opinions and other academic works. The intellectual property of others must be respected at all times. Others must not be disadvantaged in their research work.

(4) EBS researchers use scientifically sound and transparent methods to answer research questions. When developing and applying new methods, they place particular emphasis on quality assurance and the establishment of standards.

(5) When planning a project, EBS researchers take the current state of research into account and acknowledge it comprehensively. Identifying relevant and suitable research questions requires careful research into research achievements that have already been made publicly available. EBS Universität ensures that the necessary conditions for this are in place.

(6) Honest conduct is the basis for the legitimacy of the judgement-forming process. Scientists are obliged to maintain strict confidentiality when assessing submitted manuscripts, funding applications or the work of other scientists. They must disclose all facts that could give rise to concerns about bias or conflicts of interest. The obligation to maintain confidentiality and disclose reasons for bias also applies to members of advisory and decision-making bodies. The confidentiality of third-party content to which reviewers or committee members have access precludes disclosure to third parties and personal use.

## 1.3 Legal and ethical framework conditions and rights of use

(1) EBS researchers exercise the freedom of research granted to them by the constitution in a responsible manner. They consider rights and obligations, in particular those arising from legal requirements, but also from contracts with third parties, and obtain approvals and ethical opinions where necessary. With regard

to research projects, a thorough assessment of the consequences of the research and an evaluation of the respective ethical aspects should be conducted. In cases of doubt, scientists are required to consult the Ethics Committee.

(2) The legal framework for a research project includes documented agreements on the rights of use for the research data and results produced by the project. In principle, the scientists who collect the data are entitled to use it. Within the framework of an ongoing research project, the authorised users also decide (in particular in accordance with data protection regulations) whether third parties should be granted access to the data.

(3) Scientists are aware of the danger of research results being misused. Their responsibility is not limited to complying with legal requirements, but also includes the obligation to use their knowledge, experience and skills in such a way that risks can be identified, assessed and evaluated. In doing so, they take particular account of aspects related to security-relevant research (dual use).

## 1.4 Publication of research findings

(1) Scientific findings are made public in the form of publications. The publications of EBS scientists comply with the usual requirements of the respective discipline. By publishing their work, researchers expose themselves to critical discussion within the professional community. The authors of a scientific publication are jointly responsible for its content.

(2) In principle, scientists contribute all their findings to scientific discourse. In individual cases, there may be reasons not to make findings publicly available (in the narrow sense in the form of publications, but also in the broader sense via other communication channels). This decision must not be dependent on third parties. Scientists decide on their own responsibility, considering the customs of the relevant field, whether, how and where they want to publish their findings.

(3) Once a decision has been made to make results publicly available, researchers shall describe them in a complete and comprehensible manner. This also includes making the research data, materials and information underlying the results available in accordance with the FAIR principles ("Findable, Accessible, Interoperable, Re-Usable"), provided that no third-party confidentiality rights are violated. Scientists must provide complete and accurate evidence of their own and others' preliminary work.

(4) EBS researchers adhere to the principle of transparency in their publishing activities. They cite their findings that have already been made publicly available. Inappropriately fragmented publications should be avoided. Self-citations should be kept to a minimum.

(5) Authors carefully select the publication medium, considering its quality and visibility in the respective field of discourse. The scientific quality of a contribution does not depend on the publication medium in which it is made publicly available. In addition to books and journals, specialist repositories, data and software repositories, and blogs are also considered as publication outlets. Editors carefully consider which publication outlets they will accept for this task.

## 1.5 Authorship

(1) An author is someone who has made a genuine, verifiable contribution to the content of a scientific text, data or software publication. A verifiable, genuine contribution is deemed to have been made in particular when a scientist has made a scientifically significant contribution to

- the development and design of the research project or
- the development, collection, procurement, provision of data, software, sources or
- the analysis/evaluation or interpretation of the data, sources and the conclusions drawn from them, or
- contributed to the writing of the manuscript.

(2) The scientists involved in a research project agree on who should be the author of the research results.

(3) If a contribution is insufficient to justify authorship, this support can be appropriately acknowledged in footnotes, in the foreword or in the acknowledgements. Honorary authorship is not permitted. A management or supervisory role does not in itself constitute co-authorship.

(4) The authors agree on the order in good time, usually at the latest when the manuscript is being drafted, based on comprehensible criteria and considering the conventions of each subject area.

(5) Without sufficient reason, the necessary consent to publish results may not be refused. Refusal of consent must be justified by verifiable criticism of data, methods or results.

(6) All authors agree to the final version of the work to be published. They bear joint responsibility for the publication, unless explicitly stated otherwise. Authors ensure that their research contributions are labelled by publishers or infrastructure providers in such a way that users can correctly cite them.

## 1.6 Documentation

(1) Scientists document all information relevant to the production of a research result in a manner that is as comprehensible as is necessary and appropriate in the field in question, so that the result can be verified and evaluated. As a matter of principle, they therefore also document individual results that do not support the research hypothesis. In this context, the selection of results must be avoided. If specific technical recommendations exist for verification and evaluation, scientists shall document their findings in accordance with the respective guidelines.

(2) If the documentation does not meet these requirements, the restrictions and the reasons for them shall be explained in a comprehensible manner. Documentation and research results must not be manipulated; they must be protected against manipulation as far as possible.

## 1.7 Archiving

(1) EBS researchers secure published research data or research results, as well as the underlying core materials and, where applicable, the research software used. EBS Universität provides the infrastructure necessary for archiving. The underlying research data is generally archived for a period of ten years in a manner that is accessible and traceable by researchers at EBS Universität or in cross-location repositories.

(2) The retention period begins on the date of publication. If there are comprehensible reasons for not retaining certain data or for retaining it for a shorter period of time, the researchers shall explain this in the publication.

## 1.8 Quality assurance in the research process

(1) When scientific findings are made publicly available, the quality assurance mechanisms used should always be explained. This applies in particular when new methods are developed.

(2) Methods for avoiding (unconscious) bias in the interpretation of findings, such as blinding of test series, are used wherever possible. Scientists examine whether and, if so, to what extent gender and diversity may be relevant to the research project (with regard to methods, work programme, objectives, etc.).

(3) Continuous quality assurance throughout the research process refers in particular to compliance with subject-specific standards and established methods, the collection, processing and analysis of research data, the selection and use of research software, and its development and programming.

(4) If scientists have made their findings publicly available and subsequently notice discrepancies or errors, they must correct them. If the inconsistencies or errors give rise to the withdrawal of a publication, the scientists shall collaborate with the relevant publisher or infrastructure provider to ensure that the correction or withdrawal is made and indicated as such as quickly as possible. The same applies if third parties point out such inconsistencies or errors to the scientists.

(5) The origin of data, organisms, materials and software used in the research process is identified and their reuse is documented; the original sources are cited. The type and scope of research data generated in the research process are described. The source code of publicly accessible software must be persistent, citable and documented. The fact that results or findings can be replicated or confirmed by other scientists is an essential part of quality assurance.

# 2 Organising scientific responsibility

## 2.1 Management responsibility and roles and responsibilities in research projects

(1) The management of EBS Universität and EBS Schools is responsible for ensuring an appropriate institutional organisational structure. This ensures that, depending on the size of the individual academic units, the tasks of management, supervision, quality assurance and conflict resolution are clearly assigned and communicated appropriately to the respective members and affiliates. They create the framework conditions for academic work and are responsible for ensuring compliance with and communication of good academic practice, as well as for providing appropriate career support to all academics.

(2) The roles and responsibilities of the scientists involved in a research project, as well as those of ancillary staff, must be clearly defined at all stages of the project. The scientists involved shall adjust their roles and responsibilities as necessary, particularly if the focus of a participant's work changes.

(3) University management and deans' offices guarantee the conditions necessary for researchers to comply with legal and ethical standards. These conditions include clear, written procedures and principles for personnel selection and development (e.g. appointment regulations and tenure track policy) as well as for the promotion of young researchers and equal opportunities. Abuse of power and exploitation of dependent relationships must be prevented through appropriate organisational measures.

(4) Instead of contacting the EBS ombudspersons, members and affiliates of EBS University can contact the supra-regional committee "Ombudsman for Science".[3] turn.

The "Ombudsman for Science" committee is an independent body that provides advice and support on issues of good scientific practice and its violation through scientific dishonesty.

## 2.2 Promotion of young scientists and diversity

(1) The management tasks include, in particular, ensuring appropriate individual support for young researchers – embedded in the overall concept of the respective institution – as well as promoting the careers of academic and non-academic staff.

(2) Gender equality and diversity are considered in the selection and development of personnel. The relevant processes are transparent and avoid unconscious bias as far as possible. Appropriate support structures and concepts are established for young scientists. Sincere advice on careers and further career paths as well as further training opportunities and mentoring are offered to scientific and support staff.

(3) Scientists enjoy a balance of support and personal responsibility commensurate with their status, with corresponding rights of participation. Increasing independence enables them to shape their own careers.

## 2.3 Performance dimensions and evaluation criteria

(1) High-quality science is guided by discipline-specific criteria. A multidimensional approach is required to evaluate the performance of scientists. In addition to scientific performance, other aspects are considered, such as commitment to teaching, academic self-administration or knowledge and technology transfer. Performance is primarily evaluated according to qualitative standards, with quantitative indicators only being incorporated into the overall evaluation in a differentiated and reflective manner.

(2) Where voluntarily disclosed, individual circumstances in CVs are considered in the decision-making process, in addition to the categories of the general principle of equal treatment. Personal, family or health-related absences or extended training or qualification periods, alternative career paths or comparable circumstances are given appropriate consideration.

## 2.4 Ombudsperson

(1) EBS Universität für Wirtschaft und Recht appoints an independent ombudsperson and a deputy ombudsperson to whom EBS members and affiliates can turn with questions regarding good scientific practice and suspected scientific misconduct. The ombudsperson acts as a neutral and qualified contact person for questions regarding good scientific practice and suspected cases of scientific misconduct. The ombudsperson offers to mediate between the parties involved in a conflict. The ombudsperson receives enquiries in strict confidence and, if necessary, forwards suspected cases of scientific misconduct to the investigation committee. They examine every suspicion of a violation of the rules of good scientific practice brought to their attention for plausibility, specificity and significance.

(2) The Ombudsperson is elected by the Senate for a term of three years. The Ombudsperson and the Deputy Ombudsperson should belong to different faculties (schools). During their term of office, Ombudspersons

[3] The "Ombudsman for Science" committee is an independent body that provides advice and support on issues of good scientific practice and its violation through scientific dishonesty.

may not be members of a central governing body of EBS Universität or the Dean's Office. The Deputy Ombudspersons manage enquiries and consultations, particularly in cases of bias or incapacity. They are also elected by the Senate for a term of three years. The Ombudspersons and their deputies may be reappointed for a maximum of one further term of office.

(3) The ombudspersons advise the President's Office on matters relating to ensuring good scientific practice. The President's Office ensures that the ombudsperson and their deputies are sufficiently well known within EBS. The ombudspersons receive the necessary support from the President's Office and are given adequate relief from other duties to enable them to perform their tasks.

## 2.5 Ethics Committee (in accordance with Section 13 of the EBS Constitution)

(1) The Ethics Committee advises EBS Universität research staff on questions of research ethics upon request and has established procedures for the ethical assessment of research projects. The ethical responsibility of the scientists in charge remains unaffected. The Ethics Committee and its members are independent in the performance of their duties and are not bound by any instructions. They are bound only by their conscience.

(2) The Ethics Committee is responsible for independently assessing the ethical admissibility of research projects involving humans and animals. The assessment focuses in particular on studies and experiments, the collection of samples, and research involving personal data.

(3) The committee consists of five members of the university, three of whom must belong to the group of full-time professors. The Senate elects the members of the Ethics Committee. The election is valid once the President has confirmed it. Membership of the Ethics Committee is limited to three years. Re-election is permitted.

(4) The committee shall elect a chairperson and adopt rules of procedure. The chairperson shall report regularly to the Senate on the work of the committee.

# 3 Failure to observe good scientific practice

## 3.1 Scientific misconduct

(1) Scientific misconduct occurs when members of EBS Universität intentionally or through gross negligence make false statements in their scientific work, unjustifiably claim credit for the scientific achievements of others, or interfere with the research activities of others. Scientific misconduct includes, in particular

1. Incorrect information provided by:
    - Inventing data and/or research results,
    - Falsification of data and/or research results, e.g. by suppressing and/or eliminating data and/or results obtained in the research process without disclosing this.

- Manipulation of a representation or illustration,
- Incongruous representation of image and accompanying statement,
- Incorrect scientific information in a funding application or in the context of a reporting obligation,
- Claiming (co-)authorship of another person without their consent,

2. Unjustified appropriation of other people's scientific achievements by:
   - Unmarked adoption of content from third parties without the required source reference ("plagiarism"),
   - Exploitation of research approaches and ideas of others, e.g. as a reviewer ("idea theft"),
   - Unauthorised disclosure of data, theories and findings to third parties,
   - Presumption or unfounded assumption of authorship or co-authorship, especially if no genuine, verifiable contribution to the scientific content of the publication has been made,
   - Falsification of the content,
   - The unauthorized publication and disclosure to third parties, as long as the work, findings, hypothesis, theory, or research approach has not yet been published ,
3. The impairment of the research activities of others, in particular through
   - Sabotage of research activities (including damaging, destroying or manipulating experimental setups, equipment, documents, hardware, software, chemicals, or other items, which others need for research purposes),
   - Falsification or unauthorised disposal of research data or documents,
   - Falsification or unauthorised disposal of documentation of research data.

(2) In the event of intent or gross negligence, scientific misconduct also arises from
   - co-authorship of a publication that contains false information or unauthorized appropriation of another person's scientific achievements,
   - neglect of supervisory duties if another person has objectively committed scientific misconduct and this could have been prevented or made significantly more difficult by the necessary and reasonable supervision.

(3) Scientific misconduct also results from intentional participation in the sense of incitement or aiding and abetting the intentional misconduct of others.

## 3.2 Commission of Inquiry

(1) EBS Universität establishes a commission to investigate cases of suspected scientific misconduct. The investigation commission acts to clarify allegations and suspected cases that are brought to its attention by the ombudsperson, committees or members of EBS, or by external parties. If there are sufficiently concrete grounds for suspicion, the inquiry commission initiates an investigation.

(2) The investigation commission comprises:
   - One professor from each faculty

- One representative of the research assistants from each faculty
- The Vice-Dean for Research of the faculties
- A member of the Ethics Committee
- The ombudsperson with an advisory role but no voting rights

(3) The President's Office appoints the members after election by the Senate unless they are members of the investigation committee by virtue of their office. The term of office is three years. Re-election is possible. A deputy is elected or appointed for each member to take their place in the event of bias or incapacity.

(4) The members of the commission shall elect a chairperson from among their number. The commission of inquiry may call upon other persons to act in an advisory capacity.

## 3.3 Whistleblowers and those affected by allegations

(1) The bodies responsible for investigating and clarifying suspected scientific misconduct, usually the ombudsperson and the investigation committee, shall act appropriately to protect both the whistleblowers and those affected by the allegations. When investigating allegations of scientific misconduct, strict confidentiality and the presumption of innocence must be observed. Whistleblowers must report allegations in good faith. Deliberately false or malicious allegations may themselves constitute scientific misconduct. Neither whistleblowers nor those accused of misconduct shall suffer any disadvantage in their scientific or professional advancement as a result of reporting allegations.

(2) The "legal" right to be heard of those affected and whistleblowers must be upheld. Like whistleblowers, they may request to submit written comments or be heard in person at any stage of the proceedings.

(3) The report should, as far as possible, not lead to delays in the qualification process of the whistleblower, particularly in the case of young scientists; the preparation of theses and doctorates should not be disadvantaged; this also applies to working conditions and possible contract extensions.

(4) The ombudspersons and the investigation commission shall decide on their own responsibility whether to investigate reports in which the whistleblower does not give his or her name (anonymous reports). An anonymous report can only be investigated in proceedings if dependable and sufficiently concrete facts become known. If the whistleblower's name is known, the investigating body shall treat the name as confidential and shall not disclose it to third parties without the whistleblower's consent. The only exceptions to this rule are if there is a legal obligation to do so or if the persons affected by the allegations would otherwise be unable to defend themselves properly because, in exceptional cases, the identity of the whistleblower is relevant. Before the name of the whistleblower is disclosed, they will be notified immediately; whistleblowers can decide whether to withdraw the report if their name is likely to be disclosed.

(5) The confidentiality of the proceedings is subject to restrictions if the whistleblowers go public with their suspicions. The investigating body shall decide on a case-by-case basis how to deal with the breach of confidentiality by the whistleblowers. Whistleblowers must also be protected in cases where scientific misconduct has not been proven, provided that it cannot be demonstrated that the allegations were made knowingly and in bad faith.

## 3.4 Preliminary investigation in cases of suspected scientific misconduct

(1) As soon as the investigation committee learns of specific suspicions of scientific misconduct, it gives the person concerned the opportunity to comment on the suspicion within two weeks. The incriminating and exonerating facts and evidence must be documented in writing.

(2) After receiving the statement from the person concerned or after the deadline has expired, the investigation commission shall decide within two weeks whether the preliminary investigation procedure should be terminated, informing the persons concerned and the whistleblowers of the reasons for this decision, because the suspicion has not been sufficiently confirmed, or whether the case should be transferred to the formal investigation procedure.

(3) All facts giving rise to concerns about bias or a conflict of interest on the part of a person involved in the proceedings must be disclosed immediately to the chair of the investigation committee.

## 3.5 Formal investigation

(1) The chairperson of the commission of inquiry shall inform the President's Office of EBS Universität of the opening of the formal investigation procedure.

(2) The investigation committee shall meet in closed session, with at least four members present. A member of the commission of inquiry may be challenged for bias by himself or herself or by other parties involved.

(3) The commission of inquiry may obtain statements from scientists and consult other parties involved in oral deliberations.

(4) The persons concerned must be informed of incriminating facts and, where applicable, evidence. They have the right to inspect files, unless this conflicts with the overriding rights of third parties, in particular the whistleblower or public interests. They must be given the opportunity to comment on the allegations. At a personal hearing, those affected or whistleblowers, as well as potential witnesses, may call upon a person they trust who is not involved in the proceedings to assist them.

(5) The investigation commission decides based on the facts established and the evidence gathered. The commission prepares a report on its deliberations and findings, setting out the reasons for its decision, which is communicated to the persons concerned and the whistleblowers before the proceedings are concluded. They may comment on the report. The files of the formal investigation must be kept for 30 years.

(6) If the commission finds that scientific misconduct has not been proven, the proceedings will be discontinued. The persons concerned and the whistleblowers will be informed immediately of the discontinuation of the proceedings.

(7) If the commission considers scientific misconduct to have been proven, it forwards the investigation report, together with the investigation files and all statements, to the President's Office. In this case, the report also contains recommendations for further action, in particular with regard to the academic consequences for those involved.

(8) Affected third parties, scientific organisations and representatives of the scientific community who have a legitimate interest in the decision shall be informed in an appropriate manner of the outcome of the investigation procedure.

(9) At the conclusion of the formal proceedings, the commission of inquiry shall ensure that the scientific and personal integrity of persons who have been involved in the proceedings through no fault of their own does not suffer any further damage. To this end, the following measures may be taken:

- Advice to those affected, whistleblowers or third parties by the ombudsperson or a member of the commission;
- Written and, if applicable, public statement by the chair of the commission that the person concerned is not guilty of scientific misconduct;
- Whistleblowers must also be protected from discrimination in an appropriate manner.

## 3.6 Decisions in cases of scientific misconduct

(1) The President's Office of EBS Universität decides on the consequences of scientific misconduct for those involved based on the report and recommendations.

(2) The consequences of academic misconduct by students are regulated in the General Provisions for Study and Examination Regulations at EBS Universität.

(3) For employees of EBS Universität, scientific misconduct may result in the following consequences under employment law:

- Written warning
- Extraordinary termination
- Termination of contract

(4) The Executive Board shall decide whether and to what extent EBS Universität should file a criminal complaint. Criminal consequences are particularly to be expected in the following cases:

- Copyright infringements
- Document forgery, including the falsification of technical records
- Damage to property, including data alteration
- Physical injury, for example to assess subjects as a result of incorrect data

(5) Civil law consequences are also possible, e.g.

- Removal and injunction claims arising from copyright, personal rights, patent law and competition law
- Claims for repayment, e.g. in the case of scholarships or third-party funding
- Claims for damages by EBS Universität

(6) Possible academic consequences include:

- Revocation of academic degrees;
- Withdrawal of teaching licence;
- Information from non-university institutions and associations, e.g. funding organisations, in which the persons concerned hold a position.

(7) Withdrawal and revocation of scientific publications

- Scientific publications that contain errors due to scientific misconduct must be withdrawn or corrected.
- Works that have already been published must be withdrawn. Those affected are obliged to seek the consent of co-authors for withdrawal.
- Those affected must inform the chair of the investigation commission within four weeks of the measures taken to withdraw the application.

I commit myself to observe these rules

Date:

Name:

Signature