

PRIF rules for dealing with allegations of scientific misconduct

The PRIF Ethics Guideline defines the rules of good scientific practice and the existence of scientific misconduct. This paper determines how the Ombudsperson for Scientific Misconduct and their deputy are elected and which procedure is to be applied in case of allegations of scientific misconduct.

§1 Election of the ombudsperson and their deputy

- 1) The voting members of the Research Council (according to §1.1 of the Rules of Procedure of the Research Council) elect the ombudsperson and their deputy by secret ballot. The chair of the Research Council invites to the election by email at least four weeks in advance. The lists of eligible and electable members of the Research Council will also be sent with the invitation email. Nominations can be submitted (with the consent of the candidate) to the Research Council Chair until two weeks before the election meeting.
- 2) The term of office is two years. After two terms of office in succession, the ombudsperson and their deputy may not be elected again for the time being.
- 3) The following persons are ineligible for the office of ombudsperson or deputy ombudsperson:
 - the heads of research department,
 - the elected representatives of the employees on the executive board,
 - the members of the Staff Council,
 - the equal opportunity officers.
- 4) The ombudsperson and their deputy do not have to be members of PRIF. The ombudsperson and their deputy must not work in the same research department.
- 5) Unless explicitly regulated otherwise in this paper, the election procedure is based on the guidelines for the election of the Research Council Chair and thus for the election of the Executive Board.

§2 Procedure for the examination of allegations of scientific misconduct by the ombudsperson (decentralized procedure)

- 1) In the event of an allegation of scientific misconduct, the ombudsperson initiates an investigation procedure within PRIF (decentralized procedure).
- 2) As part of the decentralized procedure, the ombudsperson hears the persons concerned individually and may, if necessary, seek advice from the chairperson of the Scientific Advisory Board. The ombudsperson will initially treat any information, the name of the person affected by the accusation, and the whistleblower confidentially and anonymously.
- 3) If the suspicion is not dispelled, the ombudsperson shall inform the Executive Board and the responsible research department director, if necessary while preserving the anonymity of the person affected by the allegation and the whistleblower. If the Executive Board is affected by the allegation, the ombudsperson shall inform the chairperson of the Scientific Advisory Board.
- 4) The ombudsperson uses mediation to help those affected to approach the conflict constructively. They prepare and structure conflict solving talks and moderate the different points of view in order to enable the parties concerned to develop a mutually agreeable solution. They document the discussion and, if necessary, the steps agreed upon to implement the solution. In the further course, they accompany the implementation of the agreements. After an agreement has been reached, the ombudsperson concludes the decentralized ombudsperson procedure with a final report and informs the Executive Board, the responsible research department director and, if applicable, the chairperson of the Scientific Advisory Board about the conclusion of the procedure. The ombudsperson provides information on the basic subject matter and thus makes the decision-making process comprehensible.

- 5) If no agreement can be reached within the framework of the decentralized procedure, the ombudsperson will hand over the procedure to the Executive Board, which will decide on the further procedure and, if necessary, on consequences according to §3, or to the central ombudsperson of the Leibniz Association, if necessary, for the initiation of a central procedure to investigate allegations of scientific misconduct.¹

§3 Disciplinary and legal measures in the event of proven misconduct

- 1) Depending on the circumstances of the individual case and, in particular, the severity of the misconduct found, disciplinary or legal sanctions may be imposed, cumulatively if appropriate, e.g.
 - a) consequences under employment law:
 1. Warning letter,
 2. Extraordinary termination,
 3. Contract Termination.
 - b) civil consequences:
 1. Imposing a ban from the premises,
 2. Claims for restitution against the person concerned, such as the return of stolen scientific material,
 3. Claims for removal and injunctive relief based on copyright and personal rights,
 4. Claims for repayment, for example of scholarships, third-party funds or the like,
 5. Claims for damages by the Institute or third parties.
 - c) Consequences under criminal law.
- 2) Scientific publications that are defective due to proven scientific misconduct must be withdrawn if they are still unpublished and corrected if they have already been published (revocation). Cooperation partners are to be informed in an appropriate form, if necessary. In principle, the authors and editors involved are obliged to do so. If they do not act within a reasonable period of time, the Executive Board will initiate appropriate measures.
- 3) In cases of serious scientific misconduct, the Executive Board shall inform other research institutions concerned, including professional organizations if necessary.
- 4) The Executive Board may be obliged to inform affected third parties and the public in order to protect third parties, to maintain confidence in scientific integrity, to restore PRIF's scientific reputation, to prevent consequential damage, as well as in the general public interest.

§4 Entry into force

These rules for dealing with allegations of scientific misconduct were adopted by the Research Council on 19.04.2018 and by the Executive Board on 15.05.2018. They come into force on 16.05.2018, are published in the staff handbook as well as on PRIF's website, and are handed out to scientific staff upon employment together with the employment contract or to doctoral candidates with other funding upon granting doctoral status.

1 See chapters 5-7 of the [Leibniz Association's recommendations on safeguarding good scientific practice](#) and dealing with allegations of scientific misconduct.