



HOCHSCHULE OSNABRÜCK
UNIVERSITY OF APPLIED SCIENCES

Recast of the Regulations for Safeguarding Good Scientific Practice at Osnabrück University of Applied Sciences

adopted by the Senate of Osnabrück University of Applied Sciences

on 20.09.2023,

published in the Official Journal on 10.10.2023

Preface/ Preamble

With its own contributions in the areas of studying, teaching, research and the promotion of young talent, Osnabrück University of Applied Sciences has increasingly distinguished itself in subject areas specific to it, to the location and to the region. At the same time, Osnabrück University of Applied Sciences and its members and affiliates see themselves as part of the national scientific community. For this reason, the present regulations not only serve to ensure good scientific practice as outlined in the guidelines of the German Research Foundation, but at the same time they concretize the scientific self-image of all members and affiliates of Osnabrück University of Applied Sciences as a university of applied sciences. The regulations will be announced to all members via the intranet of Osnabrück University of Applied Sciences.

Section I General Principles

§ 1 Commitment to the general principles of good scientific practice, professional ethics

(1) The members and affiliates of Osnabrück University of Applied Sciences are obliged to uphold the basic principles of good scientific practice in all work contexts, taking into account the special features of the relevant subject area, and in particular

- lege artis to work
- to document the results of the scientific work at all times
- to always critically evaluate one's own results, to consistently doubt them and to allow and promote critical discourse in the scientific community
- Maintain strict honesty with regard to one's own contributions and the contributions of third parties, in particular contributions from participants, supervised persons (PhD students and postdocs), competitors and predecessors
- to assume responsibility for adequate supervision of young scientists

- Comply with regulations on the backup and retention of primary data
- always respect the intellectual property of others
- to comply with ethical standards when conducting surveys and experiments.

(2) Osnabrück University of Applied Sciences continues to expect the scientists working at the university to bear personal responsibility for realizing the fundamental values and norms of scientific work in their actions, to stand up for them and to take active measures to ensure good scientific work. This includes teaching the basics of good scientific work at the earliest possible point in academic teaching and scientific training.

All scientists of all career levels working at Osnabrück University of Applied Sciences are obliged to regularly update their knowledge of the standards of good scientific practice and the state of research in their disciplines. Scientists are therefore encouraged to accept learning and continuing education as well as collegial advisory services, to get involved in professional societies, to regularly publish in peer-reviewed journals and to consume them, and to present their own research results at specialist conferences.

§ 2 Organizational responsibility of the Presidium and the management of scientific work units

(1) The Executive Board of Osnabrück University of Applied Sciences creates the framework conditions for scientific work. It is responsible for adhering to and communicating good scientific practice as well as for providing appropriate support for the careers of all scientists (e.g. through the doctoral college, internal research funding and advisory services). The management of Osnabrück University of Applied Sciences, the faculties and research groups and other scientific work units such as laboratory areas guarantee the conditions for scientists to comply with legal and ethical standards. The framework conditions include the continuous (further) development of:

- Clear and written processes and principles for personnel selection and personnel development, taking into account equal opportunities and diversity, together with the AR Human Resources Development, Appointment Management and Human Resources
- Established support structures and concepts for the promotion of young scientists
- adequate career support for scientific and scientific support staff.

(2) The head of a scientific work unit shall be responsible for the entire unit. All those responsible for work units must ensure that the tasks of management, supervision, conflict resolution and quality assurance are clearly assigned through the appropriate organisation of their work area. In addition, they must ensure that the tasks are actually carried out. They ensure that the members of the work unit are aware of their roles, rights and obligations. The responsibility also includes ensuring appropriate individual support for young scientists and career advancement for scientific and research support staff. In particular, aspects of gender equality must be taken into account and possible unconscious biases must be reflected. In addition, a ratio of support and personal responsibility adapted to the career stage should be chosen with increasing independence and associated participation rights in the work unit should be granted.

(3) Both for Osnabrück University of Applied Sciences as an institution and at the level of individual academic work units, suitable organizational measures must be developed to prevent abuse of power and the exploitation of dependency relationships. In addition to the

ombudsperson, students can contact the Deans of Studies, the Staff Council for employees, and the Equal Opportunities Office and the AGG Complaints Office for all status groups.

§ 3 Supervision of junior researchers

(1) In order to comply with the rules of good scientific practice, special attention should be paid to the training and promotion of young scientists (students, collaborative doctoral candidates and postdocs). The lecturers of Osnabrück University of Applied Sciences will teach young scientists how to comply with these regulations in the context of teaching and research (modules on scientific papers). For every student, doctoral candidate and postdoc who participates in a scientific work unit, there must be a primary reference person who teaches him or her the principles for ensuring good scientific practice at Osnabrück University of Applied Sciences. In addition, target group-specific offers for further education and training are being developed and expanded.

(2) As part of the supervision by the doctoral college of Osnabrück University of Applied Sciences, all doctoral candidates will be made familiar with these regulations. The supervision agreement concluded between the supervisor and the doctoral student is also in line with the principles of good scientific practice. At the beginning of the doctoral procedure, all doctoral candidates are encouraged to complete the e-learning tool on good scientific practice offered by the doctoral program.

(3) The supervision of doctoral candidates must be designed in such a way that the supervisor supports his or her doctoral students in structuring the doctoral process, building an academic network and identifying career opportunities, and has an overview of the ongoing research activities and the essential development steps of the work. This includes regular supervision interviews and regular reviews of the progress of the work so that the completion of the work of the young scientists is promoted within a reasonable time frame. Supervision should also include measures to support further career planning and ensure integration into the academic environment. This ensures high-quality supervision of young scientists at Osnabrück University of Applied Sciences.

§ 4 Performance Dimensions and Evaluation Criteria

(1) Quality and originality shall always take precedence over quantity in the evaluation of scientific performance for examinations, awarding of academic degrees, recruitment, appointments and allocation of funds. Quantitative indicators should only be included in the overall assessment in a reflective manner and must be assessed in particular on a discipline-specific basis.

(2) In addition to scientific performance, other aspects may also be taken into account when assessing the performance of scientists, such as commitment to teaching or academic self-administration, public relations, contributions to the interest of society as a whole, and the transfer of ideas, knowledge and technology. In addition, the scientific attitude of the researcher, such as openness to knowledge and willingness to take risks, can be included in an assessment. Taking into account the General Equal Treatment Act, voluntarily stated individual characteristics can also be included in CVs. These include, but are not limited to, personal, family or health-related absences or alternative career paths. Again, watch out for unconscious bias.

§ 5 Confidentiality and Neutrality in Assessments and Consultations

Scientists are obliged to behave honestly when reviewing and evaluating submitted manuscripts, funding applications or the designation of persons as well as when working in advisory and decision-making committees. They maintain strict confidentiality, which excludes, among other things, the disclosure to third parties and the own use of third-party content. In addition, they shall immediately report any facts that indicate partiality or a conflict of interest to the competent authority.

Section II Research Process

§ 6 Responsibilities and Roles in the Research Process

All persons involved in a research project – scientists as well as scientific support staff – must be aware of their role and responsibility. Necessary adjustments, e.g. due to changes in the focus of work or financing of those involved, are communicated transparently.

§ 7 Cross-phase quality assurance in the research process

- (1) The research process must be characterised by continuous quality assurance.
- (2) Good scientific practice requires rigorous care in the selection of subject-specific methods, tools and processes, as well as in the collection and evaluation of data. Research questions are to be answered using scientifically sound and comprehensible methods. The know-how on the methodology can also be obtained through cooperation. Particular attention should be paid to the establishment of standards in the development of new methods and applications, the collection of research data and the description of research results.
- (3) As early as the research design stage, researchers carry out careful research on the current state of research, on research achievements in specialist repositories that have already been made publicly available, as well as on established standards and applications from practice, in order to identify relevant and suitable research questions based on this. The library offers opportunities for searching for research achievements that have been made publicly accessible. In the interpretation of findings, methods must be used to avoid biases, some of which are unconscious. The significance of gender and diversity will be examined with a view to the entire research process.
- (4) Scientists shall prepare appropriate, unambiguous and comprehensible documentation with all information relevant to the development of the research results. There is no selection of results. Negative results are also documented. Any existing technical recommendations for the review and evaluation of results must be applied and, if necessary, a comprehensible justification will be documented. Documentation and research results must be protected against manipulation in the best possible way. Openness to criticism and doubts about one's own results as well as the possibility of replicability of one's own results by other scientists are essential building blocks of quality assurance.

§ 8 Scientific Publications and Other Means of Communication

(1) As a matter of principle, the research results obtained with public funds must be published and incorporated into the scientific discourse. As far as possible, third parties should be granted access to all relevant information necessary for any replication. In individual cases, there may be reasons against publication, which must be documented. The decision on the publication and manner of publication of their research results is the responsibility of the researchers themselves, and in the case of publicly funded research projects, this may not be made dependent on third parties. However, legitimate confidentiality interests of third parties (e.g. protection of trade secrets and intellectual property rights) must be taken into account.

(2) Scientific studies shall be verifiable. Accordingly, their publication in scientific publications must contain an exact description of the development of the hypotheses, the methods and analysis steps, as well as the applied quality assurance and the results in a way that is comprehensible to experts in the field – if necessary with reference to further literature. This is especially necessary when developing new methods. Essential findings that support the author's findings and hypotheses or call them into question must be communicated equally. Own and third-party preparatory work and relevant publications by other authors, on which the work is directly based, must be named as completely and correctly as possible.

(3) When communicating scientific findings via communication channels other than traditional specialist publications in books or journals, the mechanisms for quality assurance must also be presented in a way that is appropriate for the target audience. In addition to books and journals, specialist repositories, data and software repositories as well as blogs can also be considered as publication organs.

(4) Furthermore, the following must be observed when publishing:

– (DE) If the publication is to contain personal data – individual information about the personal or factual circumstances of an identified or identifiable natural person – this is only permissible if the persons concerned have expressly consented to this.

– (DE) If the scientific knowledge has been obtained using data, organisms, materials or software from third parties, their origin must be identified, citing the original sources and evidence of subsequent use.

– Inappropriately fragmented publications or self-referencing beyond what is necessary should be avoided.

– Taking into account quality and visibility in their discipline, the authors select the appropriate publication organ. The scientific quality of an individual contribution does not depend on the publication organ chosen for publication. For activities as an editor, it is also important to carefully check for which publication organ you are taking on this task.

– To promote traceability, scientists deposit research data on which their publications are based in preferably recognized (specialist) repositories or archives according to the FAIR principles ("Findable, Accessible, Interoperable, Re-Useable"). This applies in particular to research data from publicly funded research.

– (DE) For publicly available software, the source code must be persistent, citable and documented, and an appropriate license must be chosen.

(5) Falsified hypotheses or errors, as well as errors or inconsistencies, shall be publicly reported. In the case of scientific publications, the authors work towards a correction or retraction.

§ 9 Authorship

(1) An author is anyone who has made a genuine, comprehensible contribution to the content of a scientific text, data or software publication.

In particular, a comprehensible, genuine contribution exists if a scientist participates in a scientifically relevant

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

has contributed.

Appropriate recognition and consideration of the contributions of predecessors, competitors and employees are a matter of course.

(2) Co-authorship is not justified by:

- the acquisition of subsidies
- the provision of standard examination materials
- Instructing employees in standard methods
- merely technical assistance in the collection of data
- technical support only (e.g. mere provision of equipment)
- the mere provision of data
- the sole reading of the manuscript without substantial participation in the content, or
- a supervisor or the head of the department or working group in which the publication was produced.

Likewise, the employment or service law relationships between the parties involved are irrelevant for the establishment of (co-)authorship. People with smaller contributions will be mentioned with a thank you note. A so-called "honorary authorship" is excluded.

(3) Authors of a text, data or software publication are jointly responsible for its content. All authors agree on the order in which the authors are named at the latest when the manuscript is written and agree to the final version of the work to be published. Consent may only be refused with sufficient reason, such as verifiable criticism of data, methods, results or unclear rights of use.

(4) It violates the rules of good scientific practice to terminate participation in a publication without sufficient reason or to obstruct or refuse to publish the results as a co-author without an urgent reason.

§ 10 Legal and ethical framework conditions as well as rights of use

(1) Scientists at Osnabrück University of Applied Sciences are obliged to deal responsibly with the freedom of research granted by the constitution. In doing so, particular attention must be paid to rights and obligations arising from legal requirements as well as from agreements or contracts with third parties. Agreements on the exploitation of research data or research results are also the framework conditions of a research project, as are grant notifications, including the ancillary provisions of the funding bodies.

(2) Agreements or contracts regulating the rights of use are to be concluded at the beginning of a research project, in particular, if a research project takes place with third parties or if it is clear at an early stage that a person involved will leave Osnabrück University of Applied Sciences. The actual use of data is the responsibility of the scientist who collects it. Appropriate access is also ensured after the termination of an employment relationship at Osnabrück University of Applied Sciences.

(3) Taking into account their knowledge, experience and skills, scientists are obliged to identify, assess and assess the consequences and risks of their research projects. In doing so, they are aware of the risk of misuse of research results, including in the context of security-relevant research. If special permissions or an ethics vote are required to carry out a research project, these must be obtained.

(4) Osnabrück University of Applied Sciences has developed binding principles for research ethics and procedures for the corresponding assessment of research projects by the Ethics Committee.

§ 11 Archiving of research results and research data

Publicly accessible research data and research results, including the underlying materials, original data and any research software used, must be archived in an adequate manner and to a subject-specific standard for a period of ten years from the date of public access. Archiving is carried out on durable and secure media at the institution where the data was created or in recognised repositories. The library provides a corresponding system for the archiving of research data, which is based on the Lower Saxony-wide archiving solution.

If co-authors leave the institution before the end of the intended retention period, the responsibility for storage must be regulated with the .dem specialist supervisor. Shortened retention periods or the retention of only part of the data are permissible provided that comprehensible reasons, possibly prescribed by law, are documented. If several institutions are involved in the data collection process, the question of storage and access rights must be contractually regulated.

Section III Scientific Misconduct

§ 12 Protection of whistleblowers and accused, presumption of innocence

All persons involved in a procedure for the investigation of scientific misconduct at Osnabrück University of Applied Sciences are committed to the protection of whistleblowers and the accused in an appropriate manner and maintain strict confidentiality. The principle of the presumption of innocence applies. Neither the whistleblower nor the accused, the latter or the latter at least until scientific misconduct is established, may suffer disadvantages for their own

professional and scientific advancement, e.g. due to delays during ongoing qualification procedures. The whistleblower must also be protected in the event of unproven scientific misconduct, unless the allegations were demonstrably reported against their better knowledge. The whistleblower must report the report in good faith.

§ 13 Scientific Misconduct

(1) Scientific misconduct shall be deemed to exist if false information is made intentionally or through gross negligence in scientific papers, if intellectual property rights of others are infringed, or if research activities of others are inadmissibly impaired:

Misrepresentations

a. the invention of data;

b. falsification of data and sources, e.g.

- by selecting desired outcomes and rejecting undesirable outcomes without disclosing this;

- by manipulating sources, data, representations of images;

- by suppressing relevant sources, data, evidence or texts as well as by intentionally omitting measures to clarify dishonesty in the handling of data and texts;

c. incorrect information in a letter of application or a grant application, including incorrect information about the publication organ and publications in the process of publication (printing), as well as incorrect information about the scientific performance of an applicant in selection or review committees and the concealment of conflicts of interest;

d. the deception of third-party funders about points relevant to the decision (including the disregard of an existing prohibition of double funding);

Intellectual Property Infringement

With respect to a copyrighted work created by another, or scientific findings, hypotheses, teachings, or research approaches derived from others, by:

a. unauthorised use under the assumption of authorship (plagiarism),

b. the unauthorised use of research approaches and ideas, in particular as a reviewer (theft of ideas),

c. the unauthorised use of protected subject-matter of (technical) property rights (patents, utility models, protected varieties, protected topographies of microelectronic semiconductors, etc.), prototypes or software,

d. the presumption of scientific authorship or co-authorship without a scientific contribution of one's own,

e. the falsification of the content, e.g. by arbitrarily omitting or adding results and/or information relevant to the topic,

f. unauthorised publication and making available to third parties as long as the work, knowledge, hypothesis, teaching or research approach has not yet been published,

- g. claiming the (co-)authorship of another person without their consent,
- h. the arbitrary delay in the publication of a scientific paper, in particular as editor, reviewer or co-author;

Undue interference with the research activities of others by:

- a. sabotaging research activities (including damaging, destroying, removing or tampering with experimental arrangements, equipment, documentation, hardware, software, chemicals, materials or anything else required by others to conduct an experiment);
- b. the elimination of primary data or biomaterials, insofar as this violates legal or internal regulations or discipline-related recognized principles of scientific work,
- c. deliberate obstruction or theft of scientific materials, e.g. books, archives, manuscripts, data sets,
- d. deliberate rendering of scientifically relevant information carriers unusable,
- e. unauthorized destruction or disclosure of research material,
- f. preventing the publication of research results,
- g. at least grossly negligent handling of allegations of scientific misconduct, in particular the grossly negligent making of incorrect or insufficiently examined allegations.

(2) Shared responsibility for misconduct may result, inter alia, from:

- a. actively participate in the misconduct of others;
- b. co-authorship of falsified publications;
- c. gross neglect of the duty of supervision.

(3) Scientific misconduct may also be committed by omission if there was a duty to act.

§ 14 Ombudsperson

(1) As a contact person for members and affiliates of Osnabrück University of Applied Sciences who have questions about good scientific practice or suspect scientific misconduct, the Executive Board appoints a person with experience in science as ombudsperson. The appointment of the appointed ombudsperson is announced via the university's homepage and other suitable communication channels (intranet, circular mail, etc.). Due to possible bias, a representative will also be appointed. The Ombudsperson and his or her representative may not be members of a central governing body during their term of office. Their term of office is limited to five years, with a further term of office possible. Upon request, the Executive Board will consider a reduction in the teaching obligations of the ombudspersons by one semester hour per week in accordance with § 9 LVVO. Scientists of integrity with management experience are appointed as ombudspersons by the Executive Board in agreement with the Senate.

(2) As a neutral and qualified person of trust, the Ombudsperson advises both generally on issues of good scientific practice and specifically in cases in which he or she becomes aware of suspected scientific misconduct. It also advises members of Osnabrück University of Applied Sciences, in particular junior researchers and students who have been involved in a case of scientific misconduct through no fault of their own, on how they can maintain or restore their scientific and personal reputation.

(3) The principles of the Ombudsperson's work are confidentiality and fairness. The ombudsperson is independent of instructions and is obliged to maintain confidentiality and impartiality. It is committed to the protection of both the whistleblower and the person affected by the allegations in an appropriate manner.

§ 15 Procedure in case of suspicion of misconduct

(1) Members and affiliates of Osnabrück University of Applied Sciences with objective indications of scientific misconduct have the choice of contacting the Ombudsperson of Osnabrück University of Applied Sciences directly or the "Ombudsman for Science" committee. As an independent body, the committee assists all researchers in Germany with questions and conflicts in the area of good scientific practice and scientific integrity. This is also true if a person is unsure whether an observed behavior constitutes scientific misconduct or if they cannot verify the facts themselves.

(2) Osnabrück University of Applied Sciences will investigate any substantiated suspicion of scientific misconduct at the university that is brought to the attention of the ombudspersons. An anonymous complaint will also be reviewed. The allegations are examined from a plausibility point of view and for certainty and significance. To this end, the ombudsperson hears the accused and whistleblowers separately from each other and decides on this basis whether a suspected case of scientific misconduct is seriously considered. In this case, the information will be transmitted to the Bureau while maintaining confidentiality.

3) If the Presidium decides that a suspected case should be further investigated and, if necessary, punished, the Presidium will form a commission of inquiry, consisting of one professor each from the four fields of economics and social sciences, natural sciences, engineering and an artistic discipline. A representative shall be appointed for each member. The substitute is called in in the event of a member's absence in order to keep delays as low as possible. Any bias must be taken into account in the composition of the commission of inquiry analogous to the bias guideline of Osnabrück University of Applied Sciences of 09.05.2012.

(4) The Commission of Inquiry shall appoint one of its members as its chairperson. The members shall hold office for the duration of the investigation. When appointing the members of the commission of inquiry, attention should be paid to gender balance. If necessary, the commission of inquiry may call in other persons for consultation.

(5) The following shall apply to whistleblowers in the further proceedings:

– The name of the whistleblower will not be disclosed to third parties without his or her consent. Exceptions are legal or statutory obligations or the imperative necessity of disclosure in order to give the accused the opportunity for an appropriate defence related to identity.

– Prior to disclosure pursuant to Section 15 (5) 1st indent, a corresponding notification must be made to the whistleblower. He or she can therefore decide whether the ad should be withdrawn.

(6) In the case of students of Osnabrück University of Applied Sciences, it is the responsibility of the respective examiners and the responsible deans of studies or examination boards to check whether the principles of good scientific practice have been violated in a term paper or seminar paper, in a bachelor's or master's thesis. Violations of scientifically recognized rules will be punished according to the provisions of the respective examination regulations.

§ 16 Work of the Commission of Inquiry

In the event of an investigation, the Commission shall observe the following principles:

- The entire procedure of the Commission of Inquiry is subject to the principle of confidentiality until proven wrongdoing with regard to the participants and previous findings has been proven.
- The Commission's procedure is governed by the principle of the free evaluation of evidence.
- The commission of inquiry does not meet in public.

- Decisions are taken by a simple majority. In the event of a tie, the vote of the chairperson shall be decisive.

- The commission of inquiry is entitled to take all steps necessary to clarify the facts. To this end, it can obtain all the necessary information and opinions and, in individual cases, also consult experts from the relevant scientific field. Care should be taken to ensure that the procedure is completed within a reasonable period of time.

- The incriminating facts and, if applicable, any available evidence must be made available to the accused in compliance with Section 15 (5).

- Both the accused and the whistleblower must be given the opportunity to make oral statements. The statement must be recorded and signed by the person concerned. The person concerned has the right to inspect the file.

- If the suspicion of a violation of good scientific practice could not be dispelled, a corresponding report from the commission of inquiry is sent to the Presidium, which decides on the further course of action. In addition to employment or service law, the initiation of academic, civil or criminal law consequences can also be considered.

- The accused person and the whistleblower must be informed in writing of the decision of the Presidium. The main reasons that led to the decision must be communicated.

§ 17 The sanction

(1) Notwithstanding the consequences of employment, service, administrative, civil and criminal law, Osnabrück University of Applied Sciences reserves the right to impose sanctions in the event of a violation of good scientific practice depending on the degree of severity. These may include, but are not limited to:

- Admonition of the person concerned by the President
- official instruction to correct or withdraw incorrectly written publications
- Exclusion from internal university research funding procedures temporarily or permanently

(2) In the case of third-party funded research, the third-party funding body shall be informed in the event of a violation of good scientific practice.

§ 18 Entry into force

These regulations come into force on the day following their publication in the Official Gazette of Osnabrück University of Applied Sciences. At the same time, the order of 18.05.2022 expires.