

UNIVERSITÄT BASEL

Code of Academic Integrity and Good Practice in the Conduct of Research

Dated 18 October 2011

Based upon §9 lit. j of the Statute of the University of Basel, dated 12 December 2007, the Office of the Rector of the University of Basel hereby enacts the following Code of Academic Integrity and Good Practice in the Conduct of Research.

I. General Provisions

Objective

- § 1 This Code governs the procedure to be adopted in the event of misconduct and improper practice in the conduct of research.
- ² Honesty and integrity stand at the heart of all research and academic endeavour, and are hereby deemed indispensable. This fundamental principle is an essential prerequisite for the credibility of research and science, and it substantiates any claim laid to academic freedom.
- ³ Honesty and integrity in research rest upon intellectual probity. Honesty and integrity are characterised in particular by the meticulous and conscientious planning, execution, and presentation of academic research.
- ⁴ The correct acknowledgement of authorship forms an integral part of responsible scientific conduct.

Scope

- § 2 This Code shall apply to all members of the University of Basel who are actively involved in research.

Dutiful Acknowledgement of Sources and Authorship in the Publication of Research

- § 3 Any research publication must acknowledge the names of all and any individuals who have made an essential contribution to that publication.
- ² The details provided on authors must ensure the clear and honest attribution and acknowledgement of the contribution made by any individual to the published work.
- ³ Any person deemed to have made a substantial personal contribution to the planning, execution, evaluation, or supervision of a given research publication has the right to be identified as an author.
- ⁴ However, neither holding an executive position nor the provision of financial or organisational assistance alone shall entitle any person to be identified as an author.
- ⁵ Any person identified as an author of a research publication shall accept responsibility for the contents of that publication. Unless otherwise stated, joint authorship obliges all contributing authors to assume joint responsibility for the contents of co-authored publications.

Misconduct in Research

- § 4 Misconduct in research is constituted in particular in the following cases:
- a) Making false statements, including
- the fabrication of research data,

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- the falsification of research data, for instance, through the deliberate selection and omission of undesirable results without, however, openly declaring such conduct, as well as through the manipulation of research data, illustrations, or images,
 - the deliberate use of inaccurate data in preparing letters of application or applications for research funding (including the use of inaccurate information about publishing outlets or about any forthcoming research in print at the time of application).
- b) Any deliberate breach of intellectual property rights, including the intentional exploitation or copying of another person's work or scientific achievements, or of any research procedure, findings, hypotheses, tenets, or approaches derived to a considerable extent from another person. Such misconduct includes:
- the unlawful use of another person's work or of any the above-mentioned achievements upon the unwarranted assumption of authorship (plagiarism);
 - the exploitation of research approaches and ideas, in particular in one's capacity as a referee (ideas theft);
 - the falsification of contents;
 - the unlawful publication of research work, and the unlawful granting of access to any given work to any third party prior to the authorised publication of the findings, hypothesis, tenet, or research approach contained in that work.
- c) The utilisation of (co-)authorship or of any person's (co-)authorship without their consent.
- d) Failing to acknowledge any person's lawful right to be identified as an author of a given work.
- e) The sabotaging of research activity (including the wilful causing of damage, or the destruction and/or manipulation of documents, data, and data storage media).
- f) Any form of reprisal and / or mobbing inflicted upon any person who witnesses improper conduct, and who makes known such misconduct either directly or reports it to his or her superior(s), and who thus often jeopardises his or her own career as a result.
- g) The making of unfounded or unjustifiable assessments in expert's reports or peer reviews, in particular with the intent to provide either oneself or a third party with an advantage, or in the event of remaining silent about a conflict of interests.

II. Jurisdiction

Faculty Confidants

- § 5 Faculty assemblies shall appoint one or two permanent confidants. These may be either current or former members of the faculty.
- ² Faculty confidants shall provide advice on all matters concerning scientific integrity. They shall accept any complaint about suspected scientific misconduct brought to their attention, and they shall serve as arbitrators in any such case. In cases where no agreement can be reached, confidants shall pass on any complaint brought to their notice to the University's Research Integrity Officer.

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- § 6 The Office of the Rector is responsible for appointing an independent Research Integrity Officer for a term of four years. Reappointment for a second term of four years is possible.
- 2 The Research Integrity Officer is responsible for accepting complaints about suspected scientific misconduct, and for investigating such complaints.
- 3 The Research Integrity Officer may appoint external specialists if he or she should need subject-specific or professionally qualified assistance.
- 4 The Research Integrity Officer may, if necessary, appoint a deputy.

III. Proceedings

Consultancy and Mediation

- § 7 Faculty confidants shall advise all researchers, staff, and students at the University of Basel on all matters concerning scientific misconduct.
- 2 Faculty confidants shall keep any information brought to their attention in strict confidence. They shall take no steps against persons who disclose their own misconduct in a consultation, unless any such person explicitly reports their misconduct (voluntary disclosure). Faculty confidants shall be subject to the duty of disclosure under applicable statutory provisions.
- 3 In cases involving more than one individual, faculty confidants shall seek to mediate an amicable settlement.

Making a Complaint and Preliminary Assessment

- § 8 In cases where members of the University of Basel become aware of any malpractice or improbity in the conducting of research, they are obliged to submit a complaint, either to the responsible faculty confidant or to the University Research Integrity Officer.
- 2 Separate interviews should be conducted with the complainant and the person accused of misconduct.

Investigation

- § 9 Based upon the information passed on by the faculty confidant or based upon a complaint lodged directly with the Research Integrity Officer, the Officer shall initiate an investigation.
- 2 The Research Integrity Officer shall conduct an investigation. The Officer shall hear the parties, and shall provide the accused with an opportunity to respond to the allegations made against him or her, to submit evidence, and to request further investigative measures. The accused shall be allowed to inspect the case files.
- 3 The accused shall have the right to appoint a confidant of his or her own choice, or to appoint legal counsel. The Research Integrity Officer must make the accused aware of his or her rights to do so.
- 4 For the preservation of evidence, the Research Integrity Officer may instruct the appropriate bodies of the Office of the Rector or of the responsible Head of Faculty to authorise appropriate precautionary measures, especially the confiscation of data and documents or the closure of laboratories. In such cases, the Office of the Rector or the responsible Head of Faculty shall be informed about the suspected misconduct.

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Completion of Investigation

§ 10 Where there is sufficient evidence of misconduct, the Research Integrity Officer shall furnish a report on the results of his or her investigation, which has been conducted in compliance with § 9 of this Code. Where no sufficient evidence of misconduct exists, the Research Integrity Officer shall arrange a second hearing with the complainant. Subject to the findings of this second hearing, the investigation will either be continued or discontinued. The Research Integrity Officer shall pass on the outcome of his or her investigation to the arbitration board.

Arbitration

- § 11 The Office of the Rector is responsible for arbitration. It invites the responsible Dean's Office to the process of deliberation on any given case.
- ² The person accused of misconduct has the right to demand a formal hearing before the arbitration board.
- ³ Decisions should be taken in consideration of the investigation conducted by the Research Integrity Officer. Decisions shall be substantiated and disclosed to the parties involved, and they shall inform the parties of their rights of appeal.

Sanctions

- § 12 Any instance of scientific misconduct shall be taken into consideration within any proceedings pertaining to personal law or higher education decrees.
- ² The responsible bodies shall be notified of any scientific misconduct.
- ³ Any disciplinary measures shall be based upon the Human Resources Regulations of the University of Basel or upon its Student Regulations.

Divulging Information to Other Bodies

- § 13 The arbitration board reserves the right to inform other bodies and authorities, as well as to determine under which circumstances any such matter shall be made public.
- ² Any conclusive findings must be made public if the investigation was made public upon its initiation, or if the person suspected of misconduct demands that the matter be brought to public attention.
- ³ In case the matter is made public, the personal rights of those concerned shall be taken into due consideration.

IV. Procedural Principles

Documentation

§ 14 Any investigative and arbitration proceedings shall be subject to the principle of written documentation; minutes shall be furnished throughout the proceedings.

Confidentiality

§ 15 All parties to a dispute shall be bound by the principle of confidentiality. In particular the complainant shall be entitled to confidentiality.

Protection against Disadvantage

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§ 16 The bodies of the Office of the Rector and of the Head of Faculty shall be responsible for protecting the complainant against any form of disadvantage or discrimination, in particular if any dependency exists between the complainant and the accused.

Autonomy

§ 17 Proceedings shall not involve any persons considered to be partial on account of their kinship, close friendship or enmity, a previous or current competitive situation, financial or organisational dependency with or from the accused, or with or from the complainant, or with or from any directly or indirectly involved persons or institutions. Not only should every precaution be taken to avoid actual partiality, but also every semblance of partiality. Both the accused and the complainant shall be notified at every stage of the proceedings of the members of the responsible body. The parties to the dispute reserve the right to reject any such members on the grounds of partiality. Where such objections are considered justified, the responsible body will be reconstituted.

V. Final Provisions

Enactment

§ 18 This Code replaces that dated 11 July 2006.

Decreed by the Senate of the University of Basel on 2 November 2011.