

Supporting researchers in cases of conflict – How ombudspersons contribute to the prevention of scientific misconduct

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“Safeguarding GSP”: 17 Recommendations as national Code of Conduct

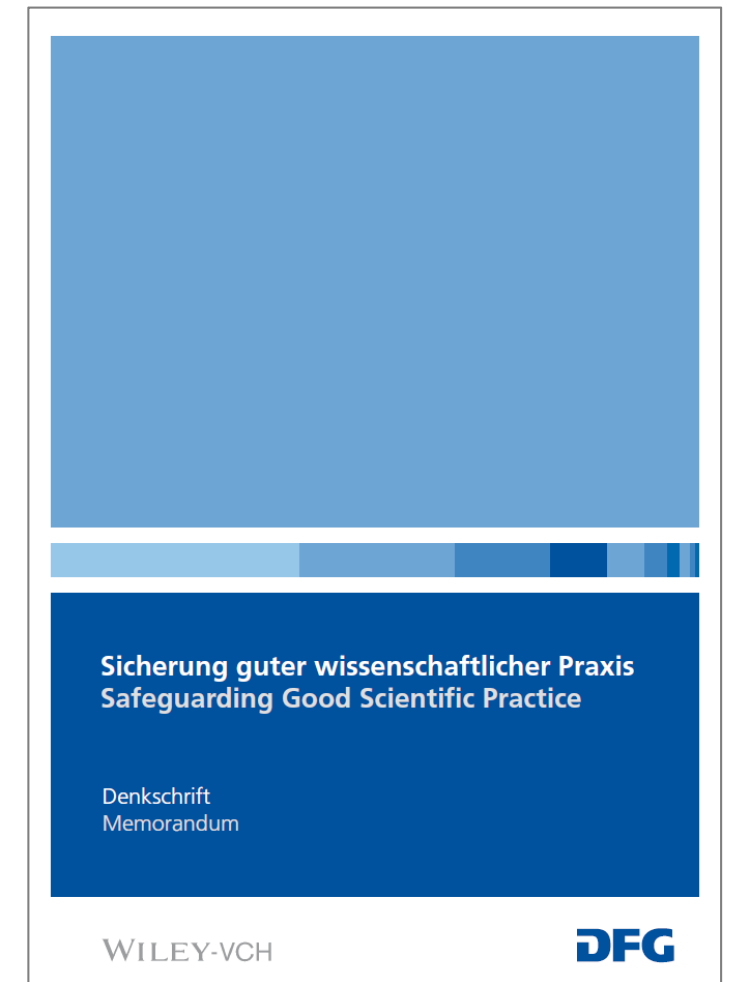
Recommendation 5: Local ombudspersons

*“Universities and research institutes shall appoint **independent mediators (ombudspersons)** to whom their members may turn with questions concerning good scientific practice and in cases of suspected scientific misconduct.”*

Recommendation 16: A national committee

*“The DFG should appoint an independent authority in the form of an Ombudsman (or a small committee). Its mandate should be **to advise and assist scientists and scholars** in questions of good scientific practice and its impairment through scientific dishonesty, and to give an annual public report on its work.”*

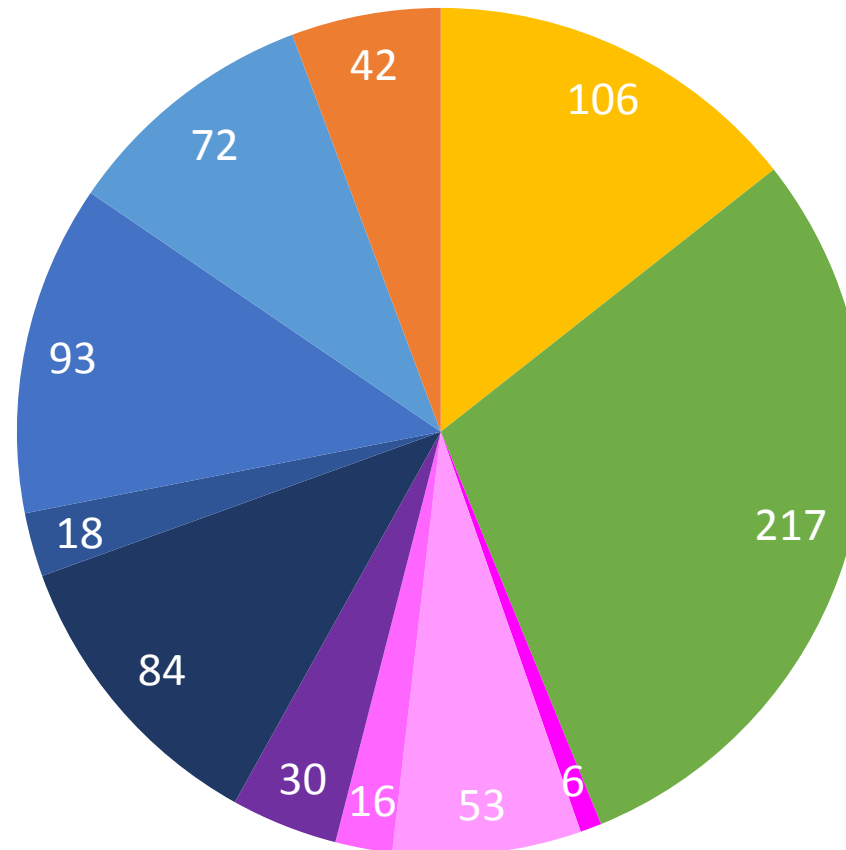
(The Code of Conduct is currently under revision)



1999, revised in 2013

RI across the German research landscape

- 428 Universities
- 309 non-university research institutions
- Currently > 600 local ombudspersons appointed (see list of ombudspersons, www.ofdw.de)
- Individual RI guidelines based on the memorandum „Safeguarding GSP“



- Universities (106)
- Universities of Applied Sciences (217)
- Colleges of Education (6)
- Art Academies (53)
- Theological Colleges (16)
- Colleges of Administration (30)
- Max Planck Association (84)
- Helmholtz Association (18)
- Leibniz Association (93)
- Fraunhofer Association (72)
- Departmental Research Institutions (42)

The *German Research Ombudsman*

- Four committee members, appointed by the DFG
- Four-year terms (re-election possible)
- Volunteer-based
- Regular meetings, daily communication
- Supported by an office based in Berlin



Fanny Oehme



Dr. Hjördis Czesnick



Saskia Welde



Prof. Dr. Stephan Rixen (Spokesperson)
Constitutional and Administrative Law,
University of Bayreuth



Prof. Dr. Renate Scheibe
Plant Physiology, University of Osnabrück



Prof. Dr. Daniela N. Männel
Immunology, University of Regensburg



Prof. Dr. Joachim Heberle
Experimental Molecular Biophysics,
Freie Universität Berlin

The *German Research Ombudsman*

- ▶ Main task: **advice/consulting** on RI and **conflict mediation**
- ▶ Principles: strictly **confidential, neutral, fair**
- ▶ Acting **based on evidence**
- ▶ On the phone or via e-mail/letter (hearings optional)

- ▶ The *German Research Ombudsman* is **not a legal entity, no sanctions** can be imposed

The *Ombudsman* Procedure

Concerns regarding a suspected scientific misconduct



Whistleblower informs [local ombudsperson](#) or
the committee of the [German Research Ombudsman](#)

Pre-Assessment by *Ombudsman* committee and office

Concerns cannot be
confirmed



Proposal to withdraw the
accusation

Suspicion confirmed,
misconduct can be corrected



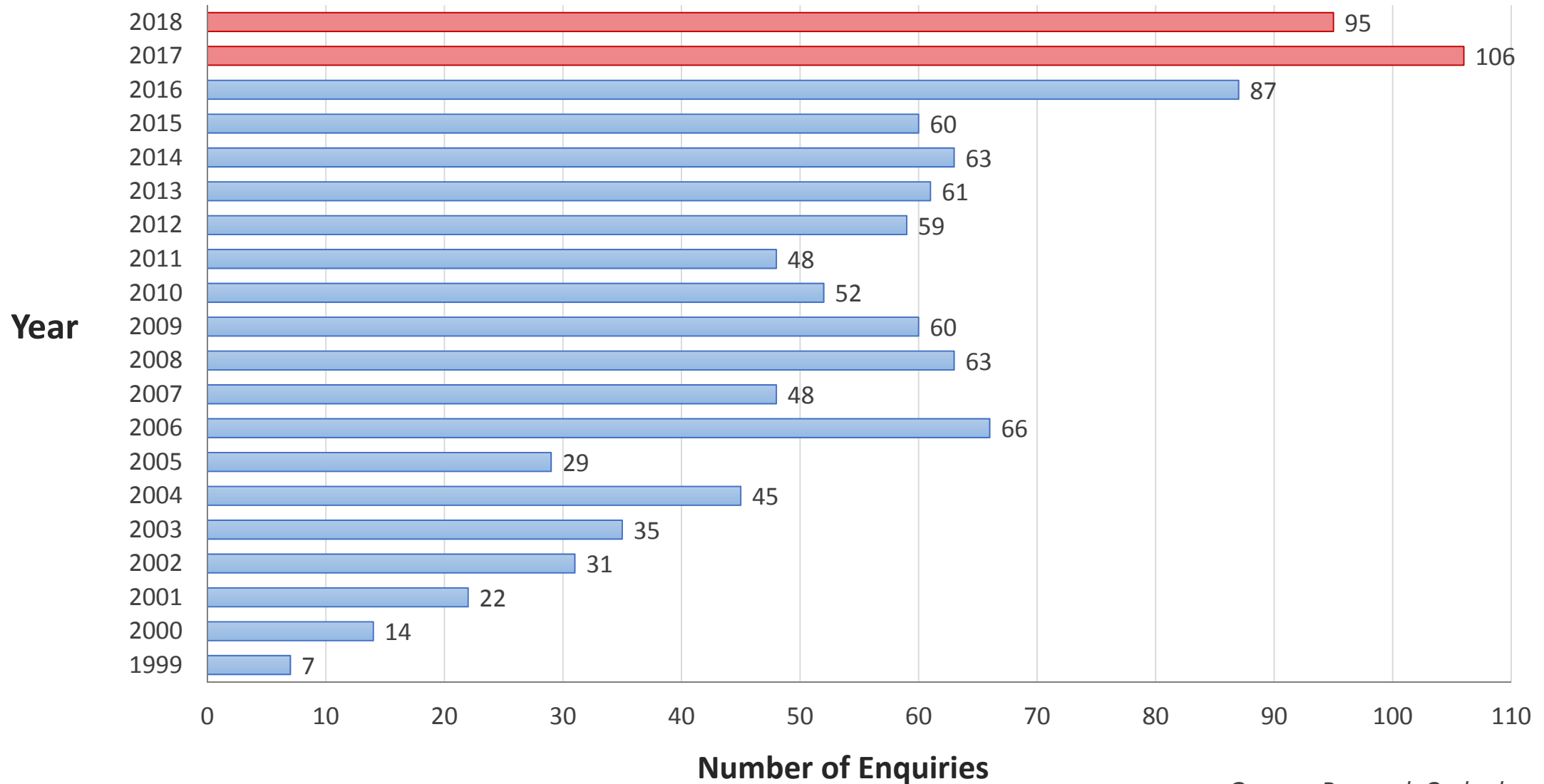
Mediation between
whistleblower and respondent
(seeking a compromise)

Evidence for a severe
misconduct (ffp)



Case transferred to a commission
handling alleged research misconduct
at the institution concerned

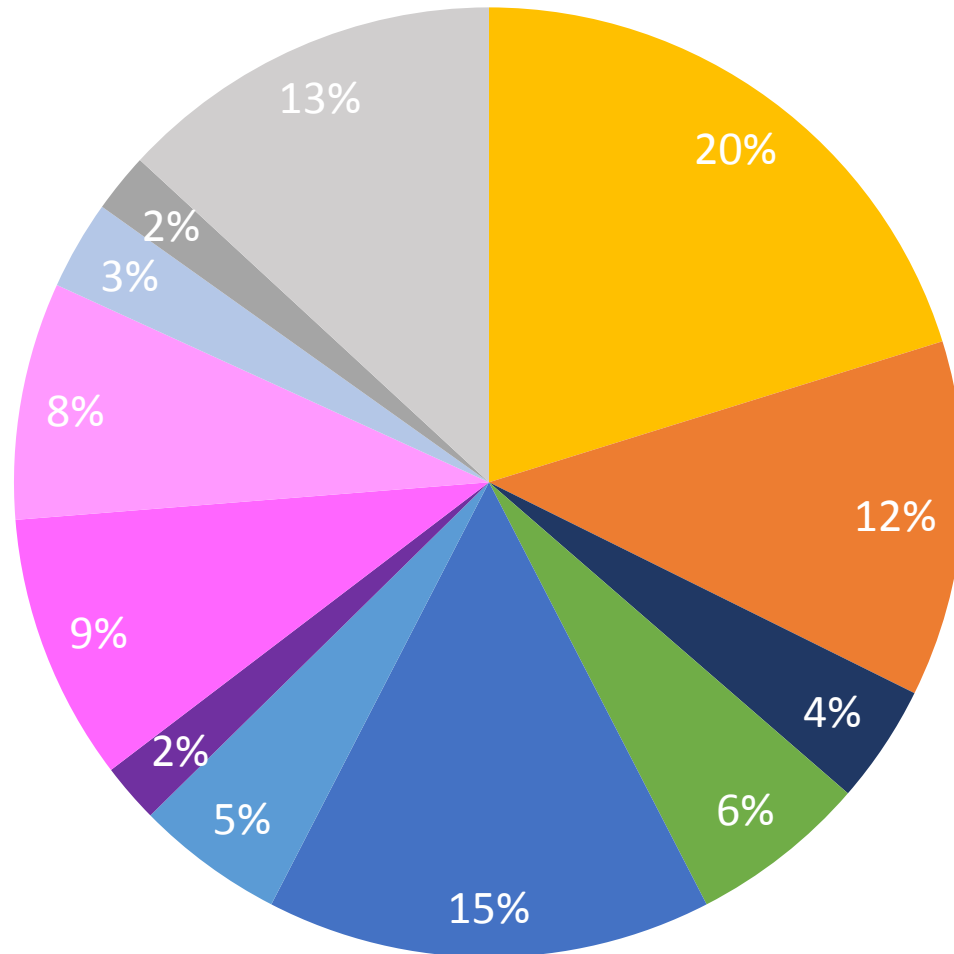
Number of Enquiries 1999 - 2018



Case Management in 2018

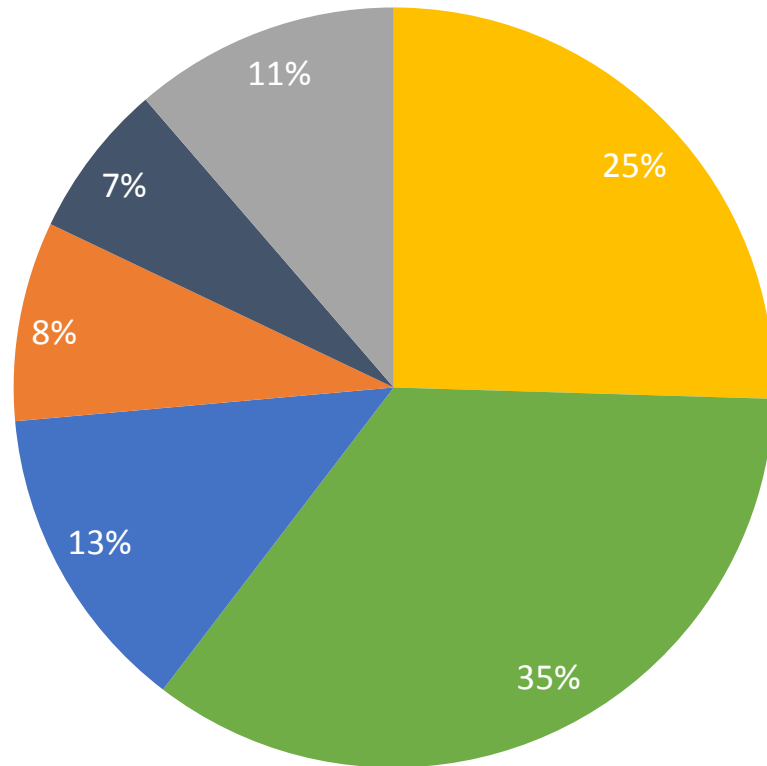
	95 Enquiries (2018)
Conflict conciliation/mediation (Dialogue with concerned party, with explicit consent)	13
RI consulting including comprehensive research (e.g. other institution contacted, with explicit consent)	11
RI consulting via e-mail/letter	25
RI consulting via telephone	19
Contacted by a local RI structure (Consulting/Advice for local proceedings)	9
Case forwarded to a university (2018 in all cases evidence of plagiarism)	3
Case forwarded to a publisher	-
Case forwarded to the German Research Foundation (DFG)	1
Another institution is dealing with the case – no action required	6
Refusal or referral to other institution if possible (e.g. no evidence submitted, no RI matter)	6

Ombudsman Enquiries 2018 – Topics (N = 95)

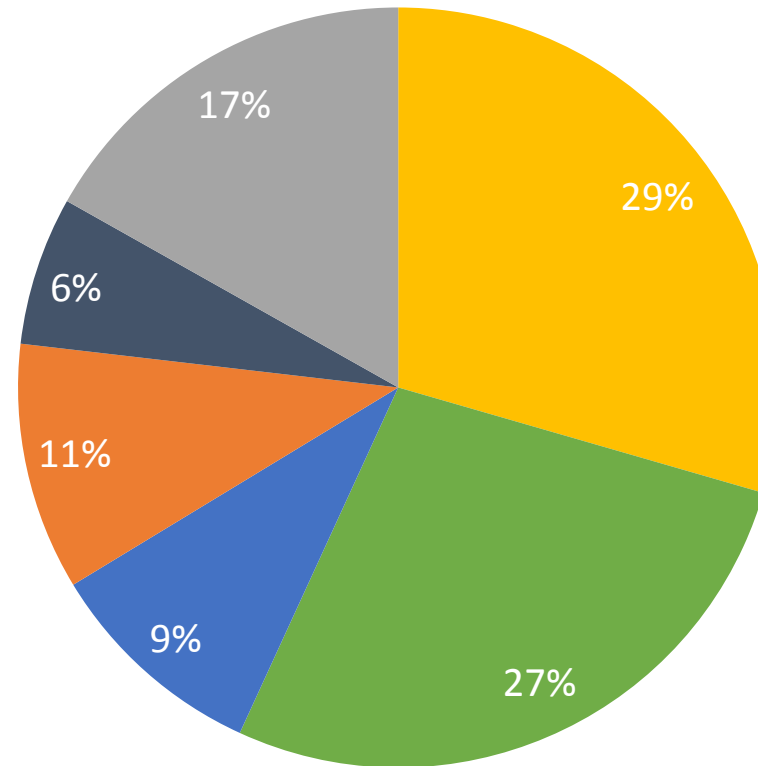


- Authorship conflicts (n=19)
- Plagiarism - Allegations or general questions (n=11)
- Scientific discourse (n=4)
- Research impediment (n=6)
- Data access and data usage (n=14)
- Data fabrication and manipulation (n=5)
- Conflict of interest in review processes (n=2)
- Lack of supervision/mentoring (n=9)
- Complaint about other authorities (n=8)
- Procedural matters (n=3)
- GSP: How to deal with anonymous whistleblowers (n=2)
- Other (n=12)

Ombudsman Enquiries – Research Fields



Enquiries 2017 (N = 106)



Enquiries 2018 (N = 95)

- Humanities and Social Sciences
- Life Sciences
- Natural Sciences
- Engineering and Informatics
- Others and Interdisciplinary
- Not known

Authorship Conflicts as “Classic Cases”

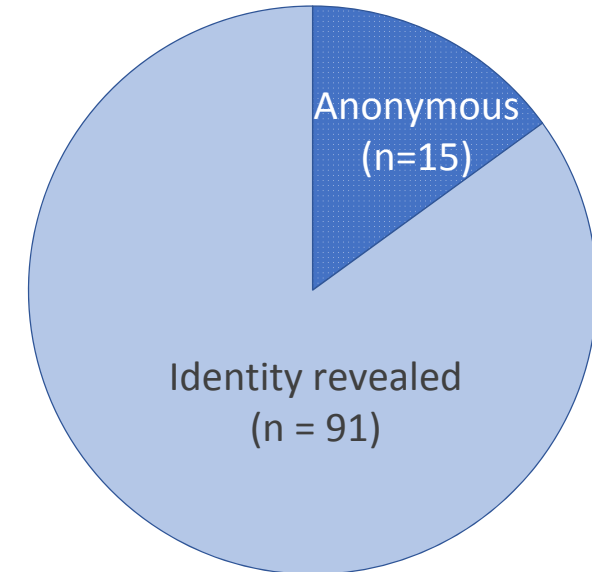
- Whistleblowers contact the Ombudsman...
 - ... because they are **omitted** as (first) authors
 - ... because they disagree to the **order** of authors
 - ... because certain persons might not deserve an authorship („**honorary** authors“)
- How to solve the predicament?
 - ▶ Ask for **statements** on the matter
 - ▶ Ask for **evidence** (written agreements, e-mails, research proposals etc.)
 - ▶ Consider **RI guidelines of the respective discipline**

Authorship Conflicts – Causes and Prevention

- ▶ Insufficient communication
 - Supervisors need to discuss/explain decisions
 - Involved researchers/PhD students need to communicate their expectations
- ▶ Lack of supervision
 - Insufficient mentoring can cause conflicts, misunderstandings, even misconduct
- ▶ Authorship guidelines not known or falsely interpreted
 - Training at all career stages
- ▶ Lack of understanding of another fields' research culture
 - Communication of expectations is especially important in interdisciplinary research

How to deal with (anonymous) whistleblowers

- Should anonymous enquiries be dealt with?
- *Dependence is the main cause of fear* – especially for early career researchers
- *Impartial advisors* and *established structures to protect whistleblowers* are required



Inquiries to the *Research Ombudsman*
in **2017 (N = 106)**:

A substantial part of enquiries
has been submitted anonymously

Means to prevent misconduct:

- **Contact bodies** to seek confidential advice (also anonymously):
Local ombudspersons and a national *Ombudsman* committee
- **Institutional protection** of „good faith“ whistleblowers
 - ▶ Allow and promote whistleblowing
- **Education:** RI courses should be mandatory, for researchers of **all career stages**
 - ▶ Spread the knowledge that contact bodies exist
 - ▶ Enhance visibility of guidelines (e.g. websites of funders, universities, research institutions)

Upcoming Ombudsman activities

- Symposium for Ombudspersons in Germany (February 2020):
“Research Integrity and Power Structures in Research and Academia”
- Developing RI standards
(e.g. dialogue platforms, workshops on RI policies)
- National and international networking
(ENRIO - *European Network of Research Integrity Offices*)

Contacting the Ombudsman

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