



Code of conduct for safeguarding good research practice at the Weizenbaum Institute

Preamble

The Weizenbaum Institute sees itself in the tradition of Joseph Weizenbaum's critical thinking, who called for a responsible digitalization of society in which people live up to their ethical responsibility. The Weizenbaum Institute stands for a culture of interdisciplinary, open and socially responsible research that is committed to the well-being of humankind. The Weizenbaum Institute's mission to critically accompany digitization processes can only be achieved through good research practice.

Research integrity forms the basis of trustworthy science. In addition to legal norms, general ethical principles and the professional ethos of their disciplines, institutional codes should serve as a guide for researchers. At the Weizenbaum Institute, the following rules are agreed upon and processes defined to implement good research practice, to prevent and uncover research misconduct and to strengthen research quality assurance.

With this Code, the Weizenbaum Institute implements the "Guidelines for Safeguarding Good Research Practice" of the German Research Foundation (DFG) as amended in August 2019. The implementation is based on the "Mustersatzung zur Sicherung guter wissenschaftlicher Praxis und zum Umgang mit Verdachtsfällen wissenschaftlichen Fehlverhaltens" (Model Statutes for Safeguarding Good Research Practice and Dealing with Suspected Cases of Research Misconduct), which was adopted by the General Assembly of the German Rectors' Conference on 10 May 2022.

The "Code of Conduct for Safeguarding Good Research Practice at the Weizenbaum Institute" was adopted in the present version on 11 December 2023 by the Board of Directors of the Weizenbaum Institute and is legally binding for all persons who are academically active at the Weizenbaum Institute.

Section I: Principles of good research practice

§ 1 Principles of good research practice

- (1) All academic staff at the Weizenbaum Institute are obliged and responsible for complying with the principles agreed in the following Code of Conduct for Safeguarding Good Research Practice. This includes in particular
1. to be guided by discipline-specific standards,
 2. make a strict and honest distinction between their own contributions and those of third parties,
 3. consistently doubting all results themselves and
 4. to allow, protect, and promote critical discourse in the scientific community.
- (2) At the Weizenbaum Institute, the basics of good academic work are taught from the earliest possible point in research training and careers. Researchers at all career levels regularly update their knowledge of the standards of good research practice and the state of research. All researchers are in contact with each other and support each other in implementing the fundamental values of academic work.

§ 2 Organizational responsibility of the Weizenbaum Institute

- (1) The Board of Directors of the Weizenbaum Institute is responsible for the institutional framework conditions for compliance with good research practice. These create the prerequisites for academic staff to comply with legal and ethical standards. An ethics committee is set up to support compliance with ethical standards. A data protection officer advises researchers on legal issues relating to compliance with the General Data Protection Regulation (GDPR) in the context of empirical social science research.

- (2) The Board of Directors is responsible for adhering to and communicating good research practice and establishing a culture of exchange for its implementation. The rules of good research practice are communicated from the outset through appropriate career support measures and comprehensive mentoring schemes.
- (3) At the Weizenbaum Institute, cooperation based on trust and the responsible performance of research management tasks are practiced.
- (4) Institute management and the heads of the research units work together through suitable organizational measures to prevent abuse of power and the exploitation of dependency relationships.
- (5) Personnel selection and development at the Weizenbaum Institute is based on equal opportunities and diversity criteria. The framework conditions include clear and written procedures and principles for personnel selection and development as well as for the promotion of young researchers and equal opportunities. At the Weizenbaum Institute, these framework conditions are implemented in the job descriptions on the one hand and through a transparent and binding recruitment process on the other. The basic composition of the selection committees is just as clearly described as a standardized list of questions for the selection interviews, which ensures a transparent and objective selection of personnel. Equality and diversity aspects are taken into account. Onboarding procedures and regular, documented staff appraisals substantiate personnel development. The guidelines for research groups, the guiding principles and the support guidelines for doctoral researchers follow the basic values of the general mission statement of the Weizenbaum Institute and specify characteristics of research work at group level and in the doctoral phase. Suitable supervision schemes and concepts have been established for junior researchers. These include career advice and further training opportunities for academic and research support staff, which are published on the Institute's website and promoted through various internal channels. The Weizenbaum Institute draws up a staff development plan and an equal opportunities plan and appoints an equal opportunities officer.
- (6) The assessment of academic performance follows a multi-dimensional approach. An important component of the assessment is research performance, which is primarily evaluated according to qualitative standards. Criteria such as openness to knowledge and willingness to take risks are taken into account in the evaluation. At the Weizenbaum Institute, interdisciplinary research plays a special role, which places increased demands on each researcher in terms of personal commitment, time expenditure and openness. This dimension is given particular importance in performance assessments at the Weizenbaum Institute. Quantitative indicators can be incorporated into an overall assessment in a differentiated and reflected manner. In addition to research performance, other

aspects can be taken into account, such as engaging in science communication, dialogue with society, business and politics, and committee work. Individual particularities in CVs such as personal, family or health-related absences or alternative career paths are taken into account.

§ 3 Responsibility of the leaders of research units

- (1) The responsibility of the leader of a research group or other research unit includes, in particular, the obligation to provide individual supervision of academic staff that is embedded in the overall concept and to promote the careers of academic and research support staff. The leader is responsible for the appropriate communication of the principles of good research practice. Each of them regularly updates his/her knowledge of the rules of good research practice and communicates these updates and/or revisions accordingly.
- (2) Cooperation in the research units is designed in such a way that the group as a whole can fulfill its tasks and the necessary cooperation and coordination takes place. This means that all members are aware of their roles, rights and duties. The leaders of research units, such as directors, principal investigators and research group leads, are responsible for ensuring trusting cooperation within their units.
- (3) At the Weizenbaum Institute, researchers receive a balance of support and personal responsibility appropriate to their career level. The guiding principles and the support guidelines for doctoral researchers at the Weizenbaum Institute provide doctoral researchers with a suitable framework for pursuing their research and further career development. Accompanying measures for career development are also offered to research group leads and postdocs. In addition to continuous support during ongoing research projects, individual counseling and further training are offered. Educational and networking opportunities are offered for researchers to prepare them for careers within and outside academia.

§ 4 Cross-phase quality assurance

- (1) Researchers at the Weizenbaum Institute carry out each step of the research process *de lege artis*, taking into account current discipline-specific and interdisciplinary standards and professional ethics.

- (2) Continuous and cross-phase quality assurance takes place and relates in particular to compliance with subject-specific standards and established methods in the collection, processing and analysis of research data, the selection and use of research software and its development and programming. The Weizenbaum Institute supports researchers in conducting high-quality research through the establishment of its Methods Lab and its research-based methods consulting.
- (3) The Weizenbaum Institute is committed to an open research culture - also to enable external quality assurance. The “Weizenbaum Library” repository offers researchers an opportunity to make their results and the underlying data, materials and software openly accessible (open access).
- (4) The Weizenbaum Institute has a data policy and ensures that the origin of all data, materials and software used in the research process is identified, citing the original sources. The type and scope of the research data generated in the research process are documented in accordance with the prevailing standards in the field. Their reusability is ensured in accordance with legal regulations and through appropriate licensing, archiving and documentation. They are handled in accordance with the requirements of the subject and/or discipline concerned.
- (5) The quality assurance mechanisms applied are set out for all publicly accessible scientific findings. If discrepancies or errors in such findings are subsequently discovered, they are corrected.
- (6) If publicly accessible software is used, it must be documented in a persistent and citable manner, citing the source code, insofar as this is possible and reasonable. The fact that results or findings can be replicated or confirmed by other researchers (for example by means of a detailed description of materials and methods) is – depending on relevant disciplinary conventions – an essential part of Weizenbaum Institute’s quality assurance.

§ 5 Actors involved, responsibilities and roles

- (1) The roles and responsibilities of the researchers involved in a research project must be defined in an appropriate manner and be clear at all times.
- (2) If necessary, roles and responsibilities are adjusted. The participants in a research project at the Weizenbaum Institute or with the participation of the Weizenbaum Institute are in regular contact. An adjustment is particularly appropriate if the focus of the work of a participant in the research project changes.

§ 6 Research design, methods and standards

- (1) When planning a project, researchers at the Weizenbaum Institute comprehensively consider and recognize the current state of research. As a rule, this requires careful research into publicly available research results.
- (2) The Weizenbaum-Institut e.V. ensures the necessary framework conditions for the research within the scope of its budgetary and organizational possibilities.
- (3) Researchers use methods to avoid (even unconscious) bias in the interpretation of findings, as far as this is possible and reasonable.
- (4) They examine whether and to what extent gender and diversity can be significant for the research project.
- (5) They apply academically sound and comprehensible methods to answer research questions.
- (6) When developing and applying new methods, they attach particular importance to quality assurance and the establishment of standards.
- (7) Researchers at the Weizenbaum Institute have access to the Methods Lab, which provides them with advice on the application of suitable methods. The development of methodological competence is a central component of the continuing education program at the Weizenbaum Institute.

§ 7 Legal and ethical frameworks

- (1) Researchers at the Weizenbaum Institute treat the freedom of research granted to them under constitutional law responsibly.
- (2) In particular, they provide complete and correct evidence of their own and third-party preliminary studies.
- (3) In their projects, researchers take into account rights and obligations, in particular those resulting from legal requirements and contracts with third parties. Where necessary, they obtain approvals and ethical opinions and submit them to the relevant authorities. They reflect on the dangers of misuse of research results and take into account the social and scientific consequences of a research project by evaluating them from a legal and ethical perspective.

- (4) The Board of Directors of the Weizenbaum Institute is guided by the current research ethics recommendations of the disciplines represented at the Institute and develops procedures for the corresponding assessment of research projects, including the establishment of an ethics committee.

§ 8 Rights of use

- (1) Researchers at the Weizenbaum Institute enter into documented agreements on the rights of use of data and results arising from the research project at the earliest possible date.
- (2) Documented agreements are particularly useful if several academic and/or non-academic institutions are involved in a research project or if it is foreseeable that researchers will change research institutions and wish to continue using the data they have generated for (their own) research purposes.

§ 9 Documentation

- (1) Researchers at the Weizenbaum Institute document all information, data, source codes, methodological, analytical and evaluative steps relevant to the production of a research result in such a comprehensible manner as is necessary and appropriate in order to be able to review and evaluate the result or to enable quality assurance (see § 4 Cross-phase quality assurance), for example through replication.
- (2) In principle, they therefore also document individual results that do not support the research hypothesis. A selection of results must be avoided in this context. If specific disciplinary recommendations exist for the review and evaluation, researchers of the Weizenbaum Institute will document the results in accordance with the respective requirements. If a documentation does not meet these requirements, the limitations and the reasons for them are explained in a comprehensible manner. Documentation and research results must not be manipulated and should be protected against manipulation as far as possible.

§ 10 Establishing public access to research results

- (1) As a matter of principle, researchers at the Weizenbaum Institute contribute all their findings to academic discourse.
- (2) In individual cases, however, there may be reasons not to make results publicly accessible (in the narrower sense in the form of publications, but also in the broader sense via other communication channels). This decision must not depend on third parties. Researchers decide on their own responsibility. It is up to the researchers to decide whether, how and where they make their results publicly accessible, taking into account the customs of their area of research. Exceptions are permitted in particular where the rights of third parties are affected, patent applications are pending, contract research or security-related research is involved.
- (3) Self-programmed software will be made available with the source code, insofar as this is possible and reasonable. If necessary, a license will be granted.
- (4) Researchers shall describe their results available for publication in a complete and comprehensible manner. This also includes, as far as possible and reasonable, making available the research data, materials and information on which the results are based, the methods applied and the software used, and providing a comprehensive description of work processes.
- (5) Weizenbaum Institute researchers deposit the research data and central materials underlying the publication in the Weizenbaum Library or in other recognized archives and repositories in accordance with the “Guidelines for Handling Research Data at the Weizenbaum Institute” and whenever possible. According to the FAIR principles, research data should be findable, accessible, interoperable and reusable. Restrictions may arise, for example, in the context of patent applications with regard to public accessibility. If specially developed research software is to be made available to third parties, it will be provided with an appropriate license.
- (6) If scientific findings are made publicly accessible, the underlying research data (raw/primary data, setups and program routines) – depending on the respective discipline – are generally kept accessible and traceable for a period of ten years at the institution where they were created or in cross-site repositories. In justified cases, shorter retention periods may be appropriate. The reasons for this must be clearly explained. The retention period begins on the date on which public access is established.

- (7) When making their results publicly available, researchers should disclose, in the interests of research integrity, whether and which generative models they have used, for what purpose and to what extent.

§ 11 Authorship

- (1) An author is anyone who has made a genuine, comprehensible contribution to the content of an academic text, data or software publication. Whether a contribution is genuine and comprehensible depends on relevant discipline-specific principles of academic work and must be assessed on a case-by-case basis.
- (2) In research publications, only responsible natural persons can appear as authors. They must ensure that the use of generative models does not infringe any third-party property and that no research misconduct occurs, for example in the form of plagiarism.
- (3) In keeping with the idea of “quality over quantity”, researchers at the Weizenbaum Institute avoid inappropriately small publications. They limit the repetition of the content of their publications as (co-)authors to the extent necessary to understand the context. They cite their previously published results.
- (4) The contribution justifying authorship must be made to the academic content of the publication. Whether a contribution is substantial, independent and comprehensible must be examined separately in each individual case and depends on the discipline concerned. As a rule, a genuine, comprehensible contribution exists if a person has been involved in at least one of the following activities in an academically relevant manner:
- a. design and development of the specific research project described and evaluated in the publication,
 - b. independent acquisition and processing of data, development of sources or programming of software,
 - c. independent analysis, evaluation or interpretation of data, sources or results,
 - d. development of conceptual approaches or argumentative structures,
 - e. drafting of the manuscript.

- (5) If a contribution is not sufficient to establish authorship, support can be appropriately acknowledged in footnotes, in the foreword or in acknowledgements. An “honorary authorship” where no sufficient contribution has been made is just as inadmissible as the derivation of authorship solely on the basis of a management or other superior function.
- (6) All authors must agree to the final version of the work to be published; they bear joint responsibility for the publication, unless it is expressly stated otherwise, e.g. in cases where responsibility only extends to part of the publication. The required consent to a publication can only be refused with a verifiable criticism of data, methods or results.
- (7) Authors at the Weizenbaum Institute pay attention to this and, as far as possible, work to ensure that their research contributions are marked by publishers or infrastructure providers in such a way that they can be cited correctly by users.
- (8) Researchers at the Weizenbaum Institute agree on who is to be the author of the research results. The order of authors is agreed in good time, usually at the latest when the manuscript is formulated, using comprehensible criteria and taking into account the conventions of the respective discipline. Depending on the research output, reference is made to the Contributor Roles Taxonomy (CRediT). In cases of doubt, one of the ombudspersons will provide advice.

§ 12 Publication medium

- (1) The academic quality of a contribution does not depend on the publication medium in which it is made publicly accessible. In addition to publications in books, specialist journals and conference proceedings, specialist, data and software repositories as well as blogs also come into consideration.
- (2) Authors of the Weizenbaum Institute carefully select the publication medium, taking into account its quality and visibility in the respective field of discourse. Researchers at the Weizenbaum Institute who take on the role of editor carefully check for which publication medium they take on this task. New or unknown publication mediums are checked for respectability at the Weizenbaum Institute. A key criterion in the selection decision is whether the publication medium carries out transparent, comprehensible quality assurance measures that are in line with professional or interdisciplinary practices – above all via peer review procedures - as defined in particular by the Committee on Publication Ethics (COPE) in the “Principles of Transparency and Best Practice in Scholarly Publishing” and has established its own guidelines on good research practice.

§ 13 Confidentiality and neutrality in assessments and discussions

- (1) Honest conduct is the basis of the legitimacy of an adjudication process. Researchers who assess submitted manuscripts, funding applications or the expulsion of persons in particular are obliged to maintain strict confidentiality in this regard. They disclose all facts that could give rise to concerns of bias. The obligation to maintain confidentiality and to disclose facts that could give rise to concerns of bias also applies to members of scientific advisory and decision-making bodies. When preparing expert opinions, the use of generative models is not permitted with regard to the confidentiality of the assessment procedure.
- (2) Confidentiality includes the fact that content to which access is gained within the scope of the function may not be passed on to third parties and may not be used for personal purposes. Researchers at the Weizenbaum Institute must immediately notify the responsible office of any concerns regarding the research project under review or the person or matter being discussed.

§ 14 Research misconduct

- (1) Research misconduct occurs when the rules of good research practice are intentionally or grossly negligently violated in an academically relevant context.
- (2) Joint responsibility for misconduct arises in particular from instigation, aiding and abetting or willful participation as well as the neglect of academic supervisory and management duties.
- (3) Research misconduct includes in particular
 - a. Incorrect information
 - fabrication of research data or research results,
 - falsifying research data or research results (e.g. by selecting desirable or rejecting undesirable results or evaluation procedures without disclosing this, or by falsifying a presentation or illustration),
 - incorrect research-related information in publication lists, a funding application or in the context of reporting obligations (including incorrect information on the publication medium and on publications in print),

- multiple publication of data or texts without disclosing this,
- claiming the authorship or co-authorship of another person without their consent,
- removal of primary data if this violates legal provisions or recognized principles of academic work. This also applies to the unlawful non-removal of data, in particular personal data,
- deliberately pretending to carry out or make use of quality assurance measures and procedures (such as peer review),
- co-authorship of a publication containing false information.

b. Infringement of intellectual property rights

- unmarked adoption of third-party content without the required citation (“plagiarism”),
- unauthorized use of research approaches, research results and scientific ideas (“theft of ideas”),
- unauthorized publication or disclosure to third parties as long as the academic work, the data, the hypothesis, the theory, the research approach or the findings have not yet been published,
- assumption or unjustified acceptance of authorship or co-authorship of a research publication as well as the refusal of a legitimate co-authorship or the claiming of authorship or co-authorship of another person without their consent,
- co-authorship of a publication that contains unauthorized third-party research results.

c. Interference with the research activities of others

- sabotage of research activities, including damaging, destroying or tampering with experimental set-ups, equipment, documents, hardware, software or other items required by others for research purposes,
- falsification or unauthorized removal of research data or research documents,
- falsification or unauthorized removal of the documentation of research data or results.

d. Neglect of research management responsibility and duty of supervision

- favoring or facilitating violations of good research practice by the heads of research units, of working groups or of the institute,
- failure to exercise necessary and reasonable supervision which would have prevented or significantly impeded the existence of research misconduct.

Section II: Ombudsman system

§ 15 Ombudspersons

- (1) The Weizenbaum Institute appoints a group of two to four independent ombudspersons to whom employees of the Weizenbaum Institute can turn in matters of good research practice and suspected research misconduct.
- (2) The ombudspersons are independent persons from various disciplines and cultures of research who are available to the employees of the Weizenbaum Institute. In the event that an ombudsperson is concerned about bias or is prevented from performing his/her function, other persons are available to provide confidential advice to the person concerned. The ombudsperson must disclose any facts or circumstances that may give rise to concerns of bias.
- (3) Researchers with a high level of personal integrity, objective judgment and experience are appointed as ombudspersons. Members of a central management body of the Weizenbaum Institute are excluded from the office of ombudsperson. The Board of Directors and the Managing Board are regarded as the central management body.
- (4) Ombudspersons are appointed by the Board of Directors on the recommendation of the Institute Council. Persons are nominated for the office of ombudsperson by the committees of research group leaders and doctoral researchers.
- (5) The term of office of an ombudsperson generally lasts 4 years. Re-election is permitted once.
- (6) Ombudspersons receive the necessary support and acceptance from the institute's management in the performance of their duties.

- (7) The management of the Weizenbaum Institute ensures that the ombudspersons are known and can be contacted. The names and profiles of the ombudspersons are published on the website.

§ 16 Activities of ombudspersons

- (1) The group of ombudspersons carry out their ombudsperson activities on a voluntary and independent basis, in particular independent of instructions or informal case-related influence by the management of the Weizenbaum Institute. The ombudsperson's work is confidential, i.e. confidentiality is maintained.
- (2) All employees can contact one of the Weizenbaum Institute's ombudspersons regarding questions of good research practice or suspected research misconduct. Alternatively, employees have the option of contacting the national ombuds committee "Ombuds Committee for Research Integrity in Germany".
- (3) As neutral and qualified contact persons, ombudspersons advise on questions of good research practice and in cases of suspected research misconduct and, as far as possible, contribute to solution-oriented conflict mediation and to the establishment of a culture of good research practice and research integrity at the Weizenbaum Institute.
- (4) The ombudsperson should be contacted by anyone who suspects research misconduct against current or former members of the Weizenbaum Institute or who is subject to such suspicion. Reports and information must be treated confidentially by all parties involved. The review of anonymous reports must be considered on a case-by-case basis.
- (5) In the event of sufficiently concrete allegations and a well-founded initial suspicion of research misconduct, the responsible ombudsperson shall carry out a preliminary review in accordance with § 19. With the consent of the person concerned, the Ombuds Committee may be involved in the preliminary examination.

Section III:

Procedures for dealing with research misconduct

§ 17 General principles for dealing with suspected cases of research misconduct

- (1) All departments of the Weizenbaum Institute that investigate suspected research misconduct within the scope of their responsibility are committed to protecting both the whistleblower* and the person(s) affected by the allegations (accused) in an appropriate manner. Those responsible for an investigation are aware that the conduct of proceedings and the final, possible imposition of sanctions can constitute considerable interference with the legal interests of the accused.
- (2) The investigation of allegations of research misconduct must be conducted at all times in accordance with the principles of the rule of law and legal regulations, fairly and with the presumption of innocence and protection against unjustified accusations. The procedure neither takes precedence over legal regulations and procedures nor does it replace them. Personal data will be anonymized as far as possible. The investigation is also confidential. Investigations are conducted without regard to the person and decisions are made without regard to the person.
- (3) The whistleblower's report must be made in good faith. Deliberately false or willful accusations may themselves constitute research misconduct. Neither the whistleblower nor the person affected by the allegations should suffer any disadvantages for their own academic or professional advancement because of the report.
- (4) If the whistleblower is unable to verify the facts him/herself or if there are uncertainties regarding the interpretation of the applicable rules of good research practice with regard to an observed process, the whistleblower should contact one of the responsible ombudspersons to clarify the suspicion.
- (5) Notifications should – especially for student employees, doctoral and postdoctoral researchers as well as habilitation candidates – not lead to delays during the qualification of the whistleblower, and the completion of theses, doctorates and habilitations should not be disadvantaged. This also applies to working conditions and possible contract extensions.

* The Whistleblower Protection Act (HinSchG) is being implemented at the Weizenbaum Institute. Employees can find the relevant information in the internal wiki.

- (6) A suspicious activity report (SAR) in which the reporting person does not disclose their identity (anonymous report) will be reviewed if the reporting person provides reliable and sufficiently concrete evidence that enable a review with reasonable effort.
- (7) If the whistleblower is known by name, the investigating body shall treat the name confidentially and shall not disclose it to third parties without the whistleblower's consent. Consent should be given in text form. Information may be disclosed without consent if there is a legal obligation to do so. In exceptional cases, the information may also be disclosed if the accused person would otherwise not be able to defend themselves properly, as the identity of the person providing the information is essential for this. Before the identity of the informant is disclosed, he or she is informed of the intended disclosure. They can then decide whether to withdraw the SAR. If the report is withdrawn, it will not be disclosed unless there is a legal obligation to disclose. The investigation may nevertheless be continued if a weighing of interests shows that this is in the interests of research integrity in Germany or in the legitimate interests of the Weizenbaum Institute.
- (8) The confidentiality of a procedure is restricted if the whistleblower goes public with the suspicion. The investigating body decides on a case-by-case basis how to deal with the breach of confidentiality by the whistleblower. The whistleblower must also be protected in the case of unproven research misconduct, provided that the allegations were not demonstrably made against better knowledge.

§ 18 Initiation of an investigation

- (1) Whistleblowers should contact one of the ombudspersons with an SAR. A report of suspected misconduct should be made in text form. It can be made verbally; in this case, a transcript must be prepared by the receiving office.
- (2) The responsible ombudsperson shall examine confidentially whether there are sufficiently concrete indications that a person has committed an offence under § 14 in a prosecutable manner.
- (3) If an ombudsperson comes to the conclusion that there are sufficiently concrete grounds for suspicion, he or she initiates a preliminary investigation.

§ 19 Preliminary investigation

- (1) As part of the preliminary examination, the ombudsperson shall immediately request the accused person in writing to comment on the allegation. In doing so, the ombudsperson shall list the incriminating facts and evidence to the accused person. A deadline must be set for the statement; as a rule, this should be four weeks. The deadline may be extended. The statement should be made in text form. Accused persons are not obliged to incriminate themselves.
- (2) As part of the preliminary examination, the ombudsperson may conduct investigations necessary to clarify the facts of the case, insofar as these are permitted under higher-ranking law. For example, they may request, procure and inspect documents, procure and secure other evidence, obtain opinions or – if necessary – obtain external expert opinions. All persons involved must be requested to treat the request confidentially.
- (3) The files should show what steps have been taken to clarify the facts.
- (4) After completing the relevant investigations and evaluating all relevant evidence, including the statement of the accused person, the ombudsperson shall immediately decide on the further course of the proceedings. The decision shall be based on whether, on the basis of the facts, a finding of research misconduct by the investigation committee appears more likely than a discontinuation of the proceedings (reasonable suspicion). If there is no reasonable suspicion of prosecutable research misconduct, the ombudsperson shall discontinue the proceedings. If there is sufficient suspicion, the ombudsperson will transfer the preliminary examination to a formal investigation, which will be conducted by the investigation committee.
- (5) If the proceedings are discontinued, the decision shall first be communicated to the whistleblower in writing. The main reasons that led to the decision must be stated. The whistleblower shall be granted the right to lodge a reasoned objection to the decision within two weeks. If an objection is lodged within the deadline, the decision will be reconsidered.
- (6) If the objection period has expired or if an objection has not led to a different decision, the decision to discontinue will be communicated to the accused person in writing, stating the main reasons for the decision.
- (7) If the proceedings are transferred to a formal investigation, this decision will be communicated in writing to the informant and the accused person. If the accused person has denied the allegation, it should be explained why the allegation could not be refuted.

- (8) The ombudsperson examines whether there is a suspicion of research misconduct in accordance with the traditional rules of free consideration of evidence. If there is a suspicion of academic misconduct, the ombudsperson informs the Managing Board.
- (9) In the event of concerns about the bias of an ombudsperson or a member of the Managing Board, the provisions on concerns about fear of prejudice pursuant to § 21 of the German Administrative Procedure Act (VwVfG) apply.

§ 20 Investigation committee

- (1) In agreement with the ombudsperson, the Managing Board of the Weizenbaum Institute appoints an investigation committee to formally investigate allegations of research misconduct if the ombudsperson decides to conduct a full investigation on the basis of its preliminary examination.
- (2) The investigation committee has four voting members, including
 - a. a member of the Advisory Board of the Weizenbaum Institute,
 - b. a member who has the professional competence to fully understand the scientific facts of the case,
 - c. a fully qualified lawyer.

The ombudsperson(s) involved are non-voting members of the investigation committee. In addition, the committee may call in experts from the specialist field of the research issue to be assessed as further non-voting members for consultation. Members of the Weizenbaum Institute may not be appointed to the committee. In addition, the provisions on fear of prejudice pursuant to § 21 of the German Administrative Procedure Act (VwVfG) apply.

- (3) The Managing Board of the Weizenbaum Institute may, in agreement with the ombudsperson, nominate additional members of the committee in the event of bias or other impediments.
- (4) The committee appoints a chairperson from among its members. All voting members of the committee have equal voting rights. Resolutions are passed by a simple majority; in the event of a tie, the chairperson has the casting vote. The committee is quorate if at least three persons with voting rights are present.

- (5) The members of the committee carry out their activities independently, in particular independently of instructions or informal, case-specific influence from the management and other bodies of the Weizenbaum Institute. The work is carried out confidentially, in compliance with confidentiality.

§ 21 Course of the formal investigation

- (1) The committee shall deliberate in private and in oral proceedings. The members of the committee and the members of the Weizenbaum Institute involved in supporting the committee as well as all persons involved in the proceedings or informed about the proceedings are obliged to maintain strict confidentiality.
- (2) All data and documents requested by the committee must be made available to it.
- (3) The investigation committee shall schedule a meeting as soon as possible. For the meeting, the accused person is given the opportunity to make in advance an oral statement to the committee (hearing) or in writing regarding the allegation. The informant will also be given another opportunity to comment. If the accused person refrains from making a further statement, this alone may not be taken into account to their disadvantage. A decision must then be made on the basis of the file.
- (4) The committee assigns one of its professionally qualified members to search for exculpatory arguments in the sense of a lawyer for the accused and to introduce these into the committee's discussion.
- (5) The committee may hear other persons orally whose opinion it deems useful for the proceedings at its due discretion. With regard to possible rights to refuse to give evidence, the provisions of the German Code of Criminal Procedure (StPO) shall apply accordingly.
- (6) Any person who is heard by the committee may call upon a person of their confidence to assist them. The committee must be informed in good time.
- (7) In accordance with the traditional rules of free evaluation of evidence, the investigation committee shall examine whether research misconduct has been proven to its satisfaction. Research misconduct can only be established if a majority decision has been taken within the committee. The deliberations are subject to confidentiality. This does not affect the authority of the committee to discontinue the proceedings due to a lack of sufficient suspicion or in the case of minor misconduct due to insignificance.

- (8) § 17, No.7 shall apply accordingly to any disclosure of the identity of the whistleblower.
- (9) The investigation committee shall ensure that the proceedings are conducted as quickly as possible and shall submit a final investigation report to the Managing Board of the Weizenbaum Institute in a timely manner, in which it assesses the existence of research misconduct and communicates the essential basis of the committee's decision. If the majority of the committee considers research misconduct to be sufficiently proven, the report shall in particular describe and assess the extent of the research misconduct, determine and justify whether such conduct was negligent, grossly negligent or intentional and contain proposals for sanctions.
- (10) The documents of the formal investigation are kept at the Weizenbaum Institute for 10 years.

§ 22 Conclusion of the investigation

- (1) The Managing Board of the Weizenbaum Institute shall decide at its own discretion whether the accused person has been found guilty of research misconduct and whether and what sanctions and measures will be imposed on them.
- (2) The Managing Board shall notify the whistleblower and the accused person in writing of the decision and its main reasons. The parties are only entitled to the legal remedies granted by law against the decision.
- (3) The decision will also be communicated to affected research organizations and third parties who have a justified interest in the decision. Whether and in what way this is the case is decided by the Managing Board of the Weizenbaum Institute at its best discretion. It also decides whether and how the public is to be informed.

§ 23 Possible sanctions and measures

- (1) If the Managing Board of the Weizenbaum Institute considers research misconduct to be proven, it may impose the following sanctions and/or take the following measures, either alternatively or cumulatively, within the framework of proportionality:

- a. written reprimand,
- b. request to the accused person to retract or correct incriminated publications in whole or in part (in particular by publishing an erratum) or to refrain from publishing incriminated manuscripts,
- c. initiation of any disciplinary, labor, civil or criminal law consequences (e.g. admonition, warning, ordinary or extraordinary termination, termination of contract or claims for damages, criminal or misdemeanor charges),
- d. forwarding the case to affected third parties, such as the university awarding the academic degree, if the academic misconduct may result in its withdrawal.

§ 24 Transitional provisions and application when leaving the Weizenbaum Institute

- (1) The facts of research misconduct according to § 14 only apply to acts committed after this code of conduct for safeguarding good research practice went in force.
- (2) An offense can also be prosecuted if the accused person is no longer academically active at the Weizenbaum Institute, but was academically active there at the time of the offense.

Section IV: Entry into force of this code of conduct

§ 25 Entry into force

The “Code of Conduct for Safeguarding Good Research Practice at the Weizenbaum Institute” comes into force with its internal announcement at the institute.

Berlin, 15 December 2023



Prof. Dr. Christoph Neuberger
Scientific Managing Director



Dr. Ricarda Opitz
Administrative Managing Director

Disclaimer: This English translation of the Code of Conduct for Safeguarding Good Research Practice at the Weizenbaum Institute is provided for informational purposes. The English text was carefully translated and reviewed for accuracy. In the event that the English and German versions permit different interpretations, the German text shall prevail.