

No. 539K

## **Regulations governing scientific integrity in research and good scientific practice at the University of Lucerne**

Dated 9<sup>th</sup> December 2015 (status: 1<sup>st</sup> January 2016)

The University Council of the University of Lucerne,

having regard to § 5 paragraphs 2-4 of the university statute of 17<sup>th</sup> January 2000<sup>1</sup>, and on the application of the senate,

enacts:

### **1 General provisions**

#### § 1 *Objectives*

<sup>1</sup> The objectives of these regulations are the provisions for scientific integrity as well good scientific practice (hereafter provisions). These relate primarily to the content-related planning, implementation, publication and evaluation of research work.

#### § 2 *Scope*

<sup>1</sup> These regulations apply to all persons working in an academic capacity, as well as the students and administrative and technical staff of the University of Lucerne.

<sup>2</sup> Within the scope of national and international research collaborations, different regulations may apply, for example on the subject of authorship. The main principles of scientific integrity and good scientific practice must however always be observed.

<sup>3</sup> In cases of plagiarism by students and doctoral students, the procedures and measures outlined in the information sheet 'plagiarism' apply.

#### § 3 *The principles of scientific integrity and scientific practice*

<sup>1</sup> Veracity and self-criticism are essential characteristics of scientific integrity. Researchers are obliged to be open and transparent with the members of their research team and are obliged to engage in self-critical dialogue with the scientific community and the public.

<sup>2</sup> All persons working on a research project are responsible for the accuracy of the data they collect.

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<sup>1</sup> SRL No. [539](#)

\* Please refer to the table with information on changes at the end of this decree

<sup>3</sup> It is the responsibility of all persons involved in the management or funding of a research project to communicate any conflict of interest in connection with that research project. Conflict of interests amongst the project managers should also be disclosed to the rector.

## **2 Research projects**

### § 4

<sup>1</sup> Researchers are at liberty to choose their own research objectives and methods. An exception to this provision are those research objectives or methods which are deemed to be ethically unjustifiable or those which could potentially have harmful effects on individuals, society or the environment and thus cannot be justified by the anticipated benefits of the research project. Research projects are free from excessive objectives and unfounded claims of scientific relevance.

<sup>2</sup> In order to ensure that research work can be intersubjectively reviewed and that data can be analysed from a different perspective, all data (including raw data) must be fully, clearly and precisely documented. Furthermore, once the research findings are published, the data must be made available on request, as long as doing so does not contradict the protection of trust.

<sup>3</sup> The project managers are responsible for the adequate safekeeping of, the access to, and the adherence to the data security and archiving regulations of the University of Lucerne.

<sup>4</sup> Research data compiled as part of a research project at the University of Lucerne, remain the fundamental property of the University of Lucerne.

## **3 Publications**

### § 5

<sup>1</sup> Research findings, should in principle, be made accessible to the public in full and without bias, as long as this does not contradict interests of confidentiality or is in conflict with any contractual publishing obligations. Publication should be seen as the primary medium.

<sup>2</sup> Any persons who through their own scientific work made a significant contribution to the planning, implementation, analysis or review of the research work may be listed as authors. Persons who did not contribute in the way described above may not be listed as authors.

<sup>3</sup> In principle, the main author assumes responsibility for the content accuracy of the publication. The additional authors are responsible for the accuracy of the statements that they themselves contributed or the statements which they are able to verify on the basis of their own knowledge. Where there is no main author, each author carries the same degree of responsibility.

<sup>4</sup> The sources used for the purposes of the research must be cited in the publication.

<sup>5</sup> When publishing research work that has been fully or partially conducted at the University of Lucerne, the University of Lucerne must be named as the research institution.

## **4 Reviews**

<sup>1</sup> Scientific reviewers:

a. write reviews that are free of prejudice, substantiated, factual, constructive and delivered in a timely manner;

- b. do not make extraneous use of confidential information that has been made accessible to them within the scope of their review work;
- c. treat all information as confidential.

<sup>2</sup> If there exists a conflict of interests with the scientific review (for example a review of scientific work that is in direct opposition to the reviewer's own work), this should be disclosed to the commissioning research team.

## **5 Procedure to follow when scientific misconduct is suspected**

### **§ 7 General**

<sup>1</sup> If scientific misconduct is suspected, a complaint can be filed with the appointee responsible for scientific integrity.

<sup>2</sup> In less serious cases and in small breaches of the rules, the appointee responsible for scientific integrity can carry out an investigation independently. In more complex cases and gross contraventions, a second person who is professionally familiar with the subject matter should be enlisted.

<sup>3</sup> The appointee responsible for scientific integrity is to be named by the rector. Should the rector himself/herself be involved in the case, or should there exist a clear conflict of interests, the president of the university council must name an alternative person.

### **§ 8 Verdict**

<sup>1</sup> The proceedings, as lead by the appointee responsible for scientific integrity is to be concluded with the justified and legally informed decision of the rector.

<sup>2</sup> The rector is to communicate his/her decision to the person or persons concerned as well as the complainant in writing.

<sup>3</sup> The rector shall decide whether the public should be informed of the case.

<sup>4</sup> Should the rector himself/herself be directly involved, the proceedings will be concluded with the decision of the university council. If there exists a clear conflict of interests for the rector, the proceedings will be concluded with a decision from the rector's deputy.

### **§ 9 Sanctions**

<sup>1</sup> The sanctioning of misconduct is to be in accordance with the University of Lucerne's applicable laws and the measures established for such situations<sup>2</sup>.

## **6 Procedural principles and the administration of justice**

### **§ 10 General**

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<sup>2</sup> i.a The law governing public employment (Personalgesetz) of 26th June 2001; the document 'Plagiate', the prevention and control measures of the university's teaching commission (ULEKO) of the 5<sup>th</sup> June 2008 for students and doctoral students

<sup>1</sup> The person incriminated by a verdict, as outlined in § 8 must be given a hearing, and he/she may call in a confidant or legal advisor.

<sup>2</sup> As a general principle, everything must be documented in writing. Minutes should be kept.

<sup>3</sup> All documents relating to the case must be compiled in a dossier and stored appropriately.

<sup>4</sup> All the parties involved in the procedure are bound to confidentiality, particularly the complainant.

<sup>5</sup> The University of Lucerne protects all persons involved from reprisals or discrimination.

## § 11 Autonomy

<sup>1</sup> Any person who may be deemed to be biased either towards the incriminated person, the complainant or any other directly or indirectly involved person, because of being related, because of friendship or hostility, because of a former or present competitive situation, because of financial or organisational dependency or due to any other reason may not be involved in the proceedings.

<sup>2</sup> The composition of the personnel involved in the proceedings, as well as the persons involved in the final decision will be communicated to the incriminated person, as well as the complainant at the beginning of the proceedings.

<sup>3</sup> All parties are free to object to a person on the grounds of bias. The rector must then decide whether an objection is sustained. If the objection is directed towards the rector, the university council must then decide. If the objection is sustained, then the deciding body must be replaced.

## § 12 Applicable procedural law

<sup>1</sup> Apart from the regulations stipulated here, the proceedings are bound to the administrative law of 3<sup>rd</sup> July 1972<sup>3</sup>.

## § 13 Appeal

<sup>1</sup> Appeals can be made within 30 days of the decision being announced and according to the provisions set out in the administration law of 3<sup>rd</sup> July 1972<sup>4</sup>.

# 7 Final clause

## § 1 Entry into force

<sup>1</sup> These regulations come into force on the 1<sup>st</sup> January 2016 and are to be made public.

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<sup>3</sup> SRL No. 40

<sup>4</sup> SRL No. 40

**Table of changes – according to paragraph**

Item	Date of decision	Entry into force	Version	Reference G
Decree	09.12.2015	01.01.2016	Original version	G 2015 356

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