

Guidelines for rules on good scientific practice

§ 2, para. 2, of the Danish University Act provides that the university shall have freedom of research and shall safeguard such freedom and ensure the ethics of science.

Research at the University of Copenhagen shall be free of economic, ideological and political special interests. Research expands the boundaries of knowledge and challenges customary notions. Basic research that measures up to international standards is central. Research shall be conducted responsibly with respect to its object, the choice of methodology, and the application of the results.

This is provided in the University of Copenhagen's statement of core values, and these values are also part of the development and application of this code of practice. In order to promote the ethics of science at the University of Copenhagen, the Rector has developed rules for assessing issues of good scientific practice and, in furtherance thereof, appointed a practice committee.

In the following are provided some observations on the rules that may ease their understanding.

About the proposal generally.

The rules presume that there is a national committee or set of committees devoted to questions of scientific dishonesty, the Danish Committees on Scientific Dishonesty. In addition, it is presumed that the authority of the Danish Committees on Scientific Dishonesty is limited to scientific dishonesty.

The national committee on scientific dishonesty deals with a special form of the breach of good scientific practice, designated scientific dishonesty; while other forms of the breach of good scientific practice are not reviewed by the national committee. With this limitation on the authority of the national committee, it becomes a duty of individual research institutions to ensure that good scientific practice in general is observed at the institution. This duty does not only entail the ability to take a position on concrete, individual cases but can relate to other more enterprising and controversial measures.

The rules are divided into chapters. Chapter 1 contains general provisions to help the University of Copenhagen discharge the duties that the requirement of good scientific practice places upon the university; while chapter 2 deals with the committee appointed to supervise the discharge of these duties. Chapter 3 deals with the committee's review of concrete cases alleging breaches of the requirements for good scientific practice; while chapter 4 contains some concluding provisions on effective date, etc.

Individual provisions.

§ 1 Purpose.

In formulating the purpose of this code of practice, it is emphasized that it includes but is not limited to dealing with concrete cases. First and foremost, its purpose is generally to safeguard the observance of good scientific practice. This occurs through discussion, clarification, and development of the requirements for good scientific practice at the University of Copenhagen. In addition, there is a special duty, which consists of creating a basis for advising the Rector in cases involving issues of good scientific practice.

The application of the rules is primarily directed at research conducted at the university. Thus, the rules can be used for research currently conducted at the university as well as research previously conducted at the university. In addition, the rules apply to research conducted by researchers employed by the university at the commencement of the case. This rule focuses on the researcher's place of employment at the commencement of the case, and it is not limited to research that researchers employed by the University of Copenhagen have conducted at the University of Copenhagen but also applies to research conducted elsewhere. This expansion is due to the fact that the issue of the observance of good scientific practice may have significance for the University of Copenhagen, even though the research was conducted somewhere else at the time. Research that forms the basis for the award of an academic grade at the University of Copenhagen is also comprehended by the rules provided in para. 2.

§ 2 Basis

The basis for assessing whether a particular act is in compliance with good scientific practice is established in § 2.

§ 3 Factors for consideration.

It is not possible to translate the requirements for good scientific practice into specific, hard and fast rules. Any answer must consist of an assessment that, among other things, takes into account factors for consideration stated in § 3. These factors cannot be exhaustively stated, and such factors contained in the code of practice merely state particular themes for the assessment of what belongs to good scientific practice.

Of particular significance in this connection, of course, is consideration for the independence of research and the freedom of expression of the researcher. These considerations emphasize the importance of not allowing the assessment of good scientific practice to act as scientific censorship, which places limits on independence and freedom of expression generally. On the other hand, neither independence nor freedom of expression is absolute; naturally, a researcher – like any other ordinary citizen – cannot say anything whatsoever.

Another factor is consideration for persons with respect to whom the research relates – for example, patients or persons surveyed for a sociological study. In addition, consideration must be paid to the object to which the research relates – for example, animals subjected to experimental research – and to the application of research results.

An important point for the assessment of whether good scientific practice has been observed is whether the necessary openness with respect to the financing of the research has been shown. This requires that the financial resources on which the research is based be reported. This reporting must be linked to any publication of the research results but may also be relevant in other contexts. Openness about financing protects the research from coming under suspicion that its definition of the problem, its conduct, or the results claimed are geared in accordance with specific economic interests that form the basis for the research enterprise. It can also help ensure that the research is not financed by sources that should not be contributors to research at the University of Copenhagen.

An important factor in good scientific practice is providing information about who has collaborated in the research. Any serious deviation from this point may entail scientific dishonesty, which would be comprehended by the authority of the Danish Committees on Scientific Dishonesty. But even without such a serious disregard of the duty of disclosure, there may be a breach of good scientific practice.

The research results must be disseminated properly and, depending on the circumstance, prior publication must be reported.

§ 3, para. 2 calls attention to the importance of the researcher providing an account of his/her considerations of the consequences of or possibilities for the application of the results that the research provides.

§ 4 The committee.

Good scientific practice is safeguarded by the university through a committee appointed by the Rector. The committee is to consist of full professors and associate professors employed by the university. More detailed rules on this are found in § 4.

§ 5 Duties.

The committee's duties focus, first of all, on the norms that apply to good scientific practice, since it is the committee's task to help clarify them. This duty, as expressly stated in § 5, para. 2, is *not* to be fulfilled by the committee adopting rules or guidelines on good practice. It is *not* the committee's task to act as a rule-issuing body through the establishment of new rules. The clarification to which the committee is to contribute is to occur in individual professions or professional groups.

One way of contributing to this development, as stated in § 5, para. 1, no. 2, is actively to encourage discussion of these norms.

Finally, it is the committee's duty to submit an opinion on concrete cases.

§ 6 Commencement.

§ 6 contains more detailed rules on how a concrete case may be commenced before the committee. It may be commenced by lodging a complaint. However, the Rector may also submit a case to the committee, or the committee may take up a case at its own initiative. Finally, one may conceive of a situation, also known from practice, that a person may wish to be cleared of circulating rumors or accusations and, on that basis, requests that the committee review the case.

It is of great importance that a question regarding any breach of good scientific practice be raised as quickly as possible. The committee should review a case expeditiously in consideration of the fact that there is a person who feels violated and the committee may thereby contribute to settling a conflict. Therefore, § 6, para. 2, contains time limits for the commencement of a case with the committee.

§ 7 and § 8 Dismissal.

The provision deals with the committee's dismissal of cases. It may be practical to be able to dismiss a case, if it is found to be clearly groundless, without going into a more detailed account of the basis for the dismissal. Furthermore, a case may seem pointless with respect to the purposes that the committee, in accordance with § 1 of the proposal, is to safeguard and, thus, the committee also has the ability to refuse to review a case.

There is a need to coordinate the work of the committee at the University of Copenhagen (as well as committees at other institutions) with the national committees on scientific dishonesty. A provision on this is found in § 8 of the proposal. The intent is to ensure that the issue of scientific dishonesty is dealt with and only dealt with by the national committee and that a person who brings a case before the University of Copenhagen committee is, if necessary, informed of the possibility of bringing the case before the Danish Committees on Scientific Dishonesty. There may also be other reasons that the review of a case should be postponed or dismissed: a defamation case may be pending before the courts; the case may be brought before the ombudsman; or a case may have already been reviewed by a corresponding committee at another university, etc.

§ 9 Information.

The committee may seek assistance from non-members of the committee, including persons who are not employed at the University of Copenhagen. The committee may also establish a special ad hoc committee of experts. Such ad hoc committees ensure that the committee reviewing the case in the first instance has a closer affiliation with the professional area to which the case belongs. Members of an ad hoc committee may also be persons who do not belong to the specific field about which the case concerns but nevertheless have some particular knowledge of the field. This framework for the designation of members of ad hoc committees ensures that it is possible to subject any special "ethics" within a particular field to an evaluation by some persons who do not belong to that particular field.

Ad hoc committees are to submit their opinions to the committee, and it is this committee that makes the decision that goes to the Rector.

§ 10 Report.

The committee concludes the case by submitting a report. In the report, a position is taken on the extent to which, in the committee's view, something has been done in conflict with good scientific practice. Of course, the report must provide a rationale and, as stated by § 10, para. 3, there must, if there is a minority, be a statement of the minority's rationale.

The rules are formulated in such a way that they do not contain a repetition of the general rules of administrative procedure. This is because the committee is deemed to belong to the field of administrative law, as expressly stated in § 11. Administrative law contains rules on disqualification, guidelines and representation, etc., party access to files, party examination, *ratio decidendi*, etc., guidance on appeal, duty of non-disclosure, etc., and the disclosure of information to another administrative authority. Naturally, a repetition of the rules of administrative law is not suitable in a code of practice such as this.

The working group, December 2004