The Commission has drawn up a new ruling applying to all researchers in our university. The ruling, approved by the Academic Council in its meeting of 5 November 2012 and adopted by the Board of Governors on 19 December 2012, is derived directly from the "Directives relating to integrity in scientific research", established under the aegis of the Fonds National de la Recherche Scientifique (F.R.S.-FNRS). The efforts made by our institution to improve its ruling on ethics and to circulate it widely within it also constitute an effective action in implementation of its ‘Human resources management policy for researchers’ (HRS4R). Filed with the European Commission in the framework of the Euraxess project, this strategy aims to improve career management for researchers and thereby encourage their mobility.
The Research Ethics Commission (CDR) is a commission instituted by the Academic Council.

Approved by the Academic Council at its meeting of 5 November 2012 and adopted by the Board of Governors on 19 December 2012, this ruling is derived directly from the "Directives relating to integrity in scientific research", established under the aegis of the Fonds National de la Recherche Scientifique (F.R.S.-FNRS) and approved by the Louvain Academic Council on 17 December 2007 (hereafter: F.R.S.-FNRS Directives).

This ruling has been prepared in compliance with the Ruling on Disciplinary Procedure for Members of the Corps Académique and the Ruling on Disciplinary Procedure for Members of the Corps Scientifique.

Foreword

Scientific research often involves the passionate pursuit of an idea. It does not exclude error, but it requires a dispassionate and critical analysis of the data and results obtained. It is the fruit of collaborations and exchanges of ideas and is nurtured through publication of the results, but it demands respect for the work of each person and an equitable attribution of merits in a highly competitive environment. It necessitates considerable resources, but cannot allow itself to deviate from absolute objectivity because of the interests, even implicit, of a financial backer. Lastly, it relies on evaluation of the work by peers, a process where conflict of interest is often insidiously present.

Scientific fraud endangers our trust in science and hence in scientific literature. Increased competitiveness in international scientific research and the mounting pressure on researchers to obtain results and financial resources make it necessary to establish standards relating to honesty in research work and establish procedures for dealing with accusations of suspected fraud.

UCL must be a guarantor to society of the integrity of its researchers and must provide the latter with a respectful and ethical supervisory framework for their work, that fosters trustful, harmonious development.

UCL therefore has a duty to set itself rules in this respect, to make these known and put in place a procedure in the event of misconduct. Such is the purpose of this ruling.

*  

1 The text of the foreword is taken from the F.R.S.-FNRS Directives. The first sub-paragraph is the same as the first sub-paragraph of paragraph 2.1 of the F.R.S.-FNRS Directives. The three other sub-paragraphs reproduce the text in the foreword to the F.R.S.-FNRS Directives.
1. Scope of application of the ruling

Art. 1. This ruling is applicable to any person conducting scientific research at UCL, irrespective of his/her status.

2. Unacceptable acts of misconduct

Art. 2. Lack of integrity in scientific research is ethically unacceptable.

Through the competencies conferred on it in point 5.1 of this ruling, the Commission recognises those acts which appear to it to represent a lack of integrity in scientific research.

Art. 3. In all cases these constitute a lack of integrity in scientific research:

I. In terms of obtaining scientific knowledge

- The fraudulent creation of research results.
- Falsification of base data, intentionally misleading presentation or treatment of research results, exclusion of base data without recording this or without giving reasons.
- Deletion of recorded base data, before expiry of the prescribed data retention period or after having become aware of the wish of third parties to consult it.
- Non-disclosure of data.
- Refusal to grant duly authorised third parties the right to consult the base data.

II. In terms of collaboration and publication

- Copying extracts from third party publications or appropriation of the ideas of others without giving the relevant source, and any other form of plagiarism.
- Copying base data and other data without the agreement of the competent project manager (data hacking).
- Sabotaging the work of other researchers, whether they belong to the same research group or otherwise, notably by withholding and rendering unusable, in a targeted way, research material, apparatus, base data and other recorded works.
- Publication in one's own name of the results of work and discoveries by third parties.
- The act of improperly obtaining the status of co-author of a publication without having made any contribution to the research.
- Intentional omission of names of persons who worked on a project and who made essential contributions; mentioning a person as co-author without this person’s permission, irrespective of his or her contribution to the project.

2 The list of acts of misconduct given in Article 3 is derived directly from paragraph 2.2 of the F.R.S-FNRS Directives.
Intentional omission of essential contributions by other authors on the same subject.
Intentionally erroneous quotations taken from existing or supposed works by third parties.
Incorrect information on the stage reached in publication of one's own works (for example, "research paper submitted" when no paper has yet been sent; "publication under print" when the paper has not yet been accepted).
Simultaneous submission of the same article for publication to a number of publishers, without duly informing the latter of this.

III. In terms of obtaining research funding

- Non-disclosure of conflicts of interest, financial arrangements or collaboration procedures that could, if known, influence evaluation of scientific results.
- Acceptance of collaboration agreements which do not preserve the researcher’s independence of judgement, restrict his or her freedom to publish (in particular negative results) or impose a right of inspection on the researcher’s publications beyond what is reasonably useful in order to retain any intellectual property rights.
- Acceptance of funding sources or mandates that the research institution would have designated a priori as ethically incompatible with the role of researcher in the institution in question. Acceptance of funding sources or mandates when the researcher knows that these will limit his or her independence in the performance of his or her work or in presentation of the results.

IV. In terms of scientific expert appraisal for third parties (for example, review of articles submitted for publication)

- Non-disclosure of conflicts of interest.
- Breach of duty to exercise discretion (confidentiality obligations).
- Knowingly making an erroneous critique of projects, programmes or papers.
- Judgements made without any basis with a view to gaining benefits, whether personal benefits, or benefits to third parties.
- Improper use of third party ideas or data taken from draft articles submitted for evaluation.

3. Composition of the Commission

Art. 4. The Commission comprises a Chairperson, a legal expert, and three full members from, respectively, the Human Sciences Sector, the Sciences & Technology Sector and the Health Sciences Sector. It also comprises three substitute members, from, respectively, the same three sectors.

All are appointed by UCL’s Academic Council, on proposal by the Rectoral Council.
Only members of the UCL *Corps Académique* holding the grade of 'full professor' at the time of appointment and whose experience and scientific competencies are sufficiently broad to cover as wide a spectrum of disciplines as possible, are eligible for a seat on the Commission.

A Commission member is appointed for a term of three years. This term is renewable.

**Art. 5.** In the exercise of its power to issue opinions referred to in point 5.1 of this ruling, only full members sit on the Commission. A substitute member only sits on the Commission to replace a full member from the same sector who is unable to attend for legitimate reasons.

In the exercise of its power to make a recommendation referred to in point 5.2 of this ruling, all Commission members, both full and substitute, are invited to sit.

### 4. Operation of the Commission

**Art.** The Commission decides on the location of the meetings.

**Art. 7.** The position of Secretary to the Commission is held by a member of UCL’s Research Administration. This person has no voting right.

**Art. 8.** Minutes are drawn up after each meeting, and these are submitted for approval of the Commission members.

### 5. Powers of the Commission

#### 5.1. Power to issue opinions

**Art. 9.** If the Vice-Rector responsible for personnel policy is made aware of acts that could constitute a lack of integrity in scientific research, he or she requests the opinion of the Commission, in accordance with Article 9, paragraph 2, of the Ruling on Disciplinary Procedure for Members of the *Corps Académique*. It is the Commission’s duty to give an opinion on the existence of the alleged acts, the ethically unacceptable character of these acts, with respect to the obligation of integrity in scientific research, and on the seriousness of the misconduct, with respect to the nature of the acts committed and their consequences for science in general, for society, for the university institution, for its members and for any victims.

**Art. 10.** The Commission examines the documents in the file passed on to it by the Vice-Rector responsible for personnel policy and hears the person accused of misconduct. A complainant will be heard at his/her request or on request by the Commission. If it
deems it necessary, it may proceed with further hearings and seek the opinion of any person who may be able to throw light on the case.

The accused person and any other person the Commission may decide to hear, must be summoned at least two weeks before the date fixed for the hearing. Summoning of the accused person is by registered letter.

The accused person and the complainant may, during their hearing, be accompanied by a person of their choosing. The summons will stipulate this. If the accused person or the complainant decides to be accompanied, he or she must inform the Commission's Chairperson of this, being sure to give the name and title of the accompanying person.

Any person heard by the Commission is informed, at the start of the hearing, that his or her statement will be recorded in minutes included in the file.

Art. 11. The Commission prepares a report and sends it, with the hearing minutes, to the Vice-Rector responsible for personnel policy, who decides on what further action is to be taken, if necessary, in a disciplinary context.

Art. 12. The members and Secretary of the Commission, and the Vice-Rector responsible for personnel policy and any other person involved in the procedure, are bound to the strictest confidentiality at all stages of the procedure.

Art. 13. The identity of any complainant remains confidential, except if the necessities of the procedure require that this confidentiality be waived and having heard the complainant on this subject. If the latter is in a position of dependence in relation to the accused person, the UCL authorities, if they deem this to be crucial, may take temporary measures enabling the complainant to continue to perform his or her duties normally.

They will also ensure, up until the procedure is closed, that the reputation of the accused person is in no way unduly damaged.

Art. 14. Any Commission member who considers that he or she cannot offer guarantees sufficient to exclude any reasonable doubt as to his or her impartiality, due in particular to personal relations or a conflict of interest with the complainant or the accused person, must abstain from participation.

The complainant and the person accused of misconduct may, for the same reasons, request that a full member of the Commission abstain from participation. The Commission makes a decision on the non-participation request, in the absence of the member whose non-participation is requested.

If a full member abstains from participation, he or she is replaced by the substitute member from the same sector. If the latter is unable to attend or must also abstain from participation, the Rector shall, as promptly as possible, appoint as a replacement a member of UCL's academic personnel with the grade of "full professor" and from the sector in question.
5.2. Power of recommendation

Art. 15. The Commission passes on to the Academic Council all the general recommendations it deems useful with respect to integrity in scientific research.

6. Final provisions

Art. 16. The ethical rules for research at UCL, adopted by the Academic Council on 9 February 1999, are revoked.

Art. 17. This ruling comes into force on 7 January 2013.