

## Code of Conduct

### 1. INTRODUCTION AND OBJECTIVE

- (1) This Code of Conduct stipulates values, legal requirements and internal regulations at the Hertie School and the Hertie School gemeinnützige GmbH as responsible body (jointly referred to as Hertie School) with respect to research, teaching and business operations as a non-profit institution. Further specific rules and regulations may be applicable in the respective areas.
- (2) The Code of Conduct constitutes a binding set of rules for all members of the Hertie School, consisting of the Management (the President, the Managing Director and the Deans), the Hertie School staff members (faculty members, academic and non-academic staff) and enrolled students. The Code also applies to external lecturers, including Adjuncts, as well as affiliates and Fellows while performing duties for the Hertie School.
- (3) The Code of Conduct applies to all activities that take place on the premises of the Hertie School, and/or to all situations involving Hertie members that carry a close connection to the mission and activities of the Hertie School.
- (4) To ensure that all Hertie School members comply with the provisions of this Code, the Academic Senate of the Hertie School will appoint an Ombudsperson and an Ethics Committee, and the Hertie School Management will appoint a Diversity and Inclusion Officer.

### 2. VALUES

The Hertie School is committed to academic integrity, academic freedom, transparency, sustainability, mutual respect, diversity and inclusion for the stewardship of the public good.

### 3. PRINCIPLES AND STANDARDS

#### 3.1. Principles

- (1) All Hertie School members shall act in accordance with the values of Section 2 and adhere to all applicable standards of professional practice and ethical behaviour in carrying out the business of the Hertie School.
- (2) For academic work at the Hertie School, the Science Council's Recommendations Regarding Academic Integrity ([https://www.wissenschaftsrat.de/download/archiv/4609-15\\_engl.pdf](https://www.wissenschaftsrat.de/download/archiv/4609-15_engl.pdf)) as well as the Deutsche Forschungsgemeinschaft's "Guidelines for Safeguarding Good Research Practice" ([https://www.dfg.de/download/pdf/foerderung/rechtliche\\_rahmenbedingungen/gute\\_wissenschaftliche\\_praxis/kodex\\_gwp\\_en.pdf](https://www.dfg.de/download/pdf/foerderung/rechtliche_rahmenbedingungen/gute_wissenschaftliche_praxis/kodex_gwp_en.pdf)) shall be binding and are part of this Code of Conduct. The implementation of the DFG Guidelines is stipulated in the Annex.
- (3) All members of the Hertie Community are bound to promote the image and values of the Hertie School to the general public and to refrain from anything that could disturb the order and/or damage the property or the image of the Hertie School.

### **3.2. Confidentiality and Privacy**

- (1) All trade and business secrets are confidential. Any information proprietary to the Hertie School may not be shared. Hertie School members shall protect all trade and business secrets against any unauthorized use by third parties during their employment at or engagement with the Hertie School as well as after its termination. This shall also apply to any confidential information made available to the Hertie School by third parties, with the exclusive exception of information that has already become part of the public sphere or which is collected by public authorities.
- (2) In compliance with the General Data Protection Regulation, Hertie School members shall only collect, process or use any personal data to the extent that this is required for any previously defined, unambiguous and lawful purposes. As a matter of principle, the use of such data must be transparent for the persons concerned, and their right to information, correction, blocking and deletion as well as their right of objection shall be observed.

### **3.3. Standards of Quality and Integrity**

The Hertie School is committed to the standards of quality and integrity and acts in accordance with the highest level of professional integrity in the academic as well as in the administrative sphere. The conduct of each Hertie School member shall at all times strive for professional excellence. It should contribute to the development of a productive and harmonious workplace. The commitment to integrity is also reflected in the thoughtful, responsible, economical, environmentally friendly and lawful handling of the Hertie School's tangible and intangible assets by all its members. The conduct of all Hertie School members towards any internal and external partners shall be characterized by honesty, openness and mutual respect.

#### **3.3.1. Integrity of Relationships**

- (1) The integrity of relationships between Hertie School members is crucial for the operational mission of the Hertie School. If a relationship of a romantic or sexual nature occurs between a Hertie School member and any person for whom he or she has a direct professional responsibility, for example colleague, student assistant etc., adequate arrangements shall be made by the Management to prevent such a relationship from jeopardizing the Hertie School's operational mission. Such arrangements shall always take the interests of the persons concerned into account and shall consider applicable regulations.
- (2) The integrity of the faculty–student relationship is crucial for the Hertie School's educational mission. The Hertie School faculty members bear authority and accountability as advisors, educators, and evaluators. The pedagogical relationship between a faculty member and a student must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the Hertie School. Whenever a faculty member is responsible for the academic supervision of a student, a personal relationship of a romantic or sexual nature between them, even if consensual, is inappropriate. Any such relationship jeopardizes the integrity of the educational mission.
- (3) In its dealings with outside parties – states, organisations, and individuals – , the Hertie School should not enter into any relationship that compromises, or could reasonably be perceived to compromise, its ethical principles, or that makes it complicit in illegal activity or the suppression of human rights. Institutional relationships include academic partnerships, commercial contracts and procurement arrangements, financial grants and donations, and sponsorship agreements.

#### **3.3.2. Academic Integrity / Plagiarism**

- (1) The Hertie School is committed to the standards of good academic conduct and academic integrity. Truthfulness and due respect for personal dignity and integrity in the interaction with others constitute binding principles for research, teaching and studies at the Hertie School. They

constitute binding rules for the Hertie School members' conduct among each other and towards other members and partners of the Hertie School.

- (2) Any violation of these standards shall be subject to disciplinary action. Infringements include but are not limited to
  - a. using wordings, ideas or other intellectual work of others in an academic work without clearly indicating the author thereof (plagiarism). The obligation to indicate the authorship of others shall apply irrespective of whether or not the sources used are protected by any copyright;
  - b. deceiving or trying to deceive in the conduct with other members or partners of the Hertie School;
  - c. harassing and insulting behaviour or language.
- (3) Any additional regulations that may apply to students or doctoral candidates can be found in the respectively applicable Hertie School Examination Rules or the Doctoral Degree Regulation.
- (4) In case of a suspected violation of these standards by a student, the course instructor shall submit the matter to the Examination Committee. If the Committee, after examination of the facts, comes to the conclusion that the suspicion is justified it shall initiate the proceedings stipulated in the Hertie School Examination Rules. In case of suspected violation of these standards by a PhD candidate, the matter shall be examined by the PhD Board. In case of a suspected violation of these standards by other Hertie School members, the Management and the Ombudsperson shall be informed; the Ombudsperson shall investigate the matter and initiate respective proceedings.

### **3.3.3. External funding**

- (1) The acceptance of anonymous donations is prohibited. However, donors may request that their donations are not made public. Donations from immediate family members of students shall not be accepted during their studies. If an immediate family member of a Hertie School graduate wishes to make a donation to the Hertie School within two years after the graduation, the Ombudsperson shall decide on the donations' admissibility. Admission of students whose immediate family members made donations within the last two years prior to admission is only possible with the consent of the Ombudsperson. Funds, other than tuition fees, from companies whose decision-makers also finance the participation of their direct employees in degree programmes of the Hertie School shall not be accepted if funding is only offered upon the Hertie School's admission of the said direct employees. Further rules are outlined in the Hertie School Policy for fundraising and donation acceptance.
- (2) The rules with regard to third party funds applicable at the Hertie School are outlined in the Hertie School Policy for third-party funded projects.
- (3) Adequate measures shall be taken in order to exclude the acceptance of funds from corrupt sources. Due diligence and vetting processes will be undertaken in order to make sure that the proposed partner or donor is appropriate with good financial, legal and ethical standing. This will protect the Hertie School's interests and reputation. In case of doubt, the Ombudsperson shall be informed and address and clarify the issue.

### **3.3.4. Social Media**

- (1) For many Hertie School members, participation in social media technologies is an integral aspect of their professional and social lives, which may lead to a blurring of the public face and private identity of employees.

- (2) Hertie School members participating in non-Hertie-School-sponsored social media are personally responsible for what they write. They may disclose their affiliation with the Hertie School, but if they do so, they should disclaim their opinions' connection to the Hertie School.
- (3) When using social media, Hertie School members are obliged to respect their audiences and to respect copyright. Any information proprietary to the Hertie School may not be shared.
- (4) When posting to an official social media account of the Hertie School, statements and attitudes shall represent the Hertie School well and shall, where relevant, be approved by the project or team leader concerned.

### **3.4. Equality and Diversity**

- (1) The Hertie School is committed to the principle of equality and to embedding and mainstreaming equality, diversity and inclusion into all areas of its activities. The School aims to provide a discrimination-free and safe work and study environment in which all members of the community are protected, respected, valued and treated equally.
- (2) In all activities the Hertie School aims to remove discrimination, eliminate unequal opportunities as well as biases and barriers for participation. As a family-friendly university, the school takes into account the different living conditions of individuals.
- (3) All members of the community are expected to act respectful and treat others with dignity and fairness at all times.
- (4) We stand against all forms of discrimination and/or harassment on the grounds of race, ethnicity, national origin, gender, religion or belief, including antisemitism and islamophobia, disability, age and/or sexual orientation.

#### **3.4.1. Non-Discrimination**

- (1) The Hertie School does not discriminate on the basis of inter alia race, ethnicity, national origin, colour, sex, disability, religion/world view, sexual orientation or age in the administration of any of its employment, in educational programmes, admissions policies, scholarship and loan programmes, or other school-administered programmes. Discrimination is against the law (Equal Treatment Act [*Allgemeines Gleichbehandlungsgesetz/AGG*]) and will not be tolerated. For a definition of discrimination see General Equal Treatment Act (2006) Section 3 Definitions: [http://www.gesetze-im-internet.de/englisch\\_agg/englisch\\_agg.html#p0028](http://www.gesetze-im-internet.de/englisch_agg/englisch_agg.html#p0028)
- (2) The selection and promotion of personnel as well as any other staff-related decisions shall be made on the basis of performance and qualification related criteria. The general principle of equal treatment must be observed.

#### **3.4.2. Harassment**

- (1) According to § 3 para. 3 and 4 of the Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz/AGG*, August 18, 2006), harassment is regarded as a form of discrimination.
- (2) Harassment is any unwanted physical or verbal behaviour that has the effect or purpose of violating the dignity of the person involved. Such behaviour may include derogatory name-calling, verbal threats or insults, display of material, exclusion from workplace activities, physical attack, encouraging others to commit such behaviors.
- (3) Harassment may be connected to a person's possession of a protected characteristic, inter alia race, ethnicity, national origin, colour, sex, disability, religion/world view, sexual orientation or age.

- (4) Sexual harassment is unwanted conduct of a sexual nature that has the effect or purpose of violating the dignity of the person involved. Unwanted conduct of a sexual nature includes unwanted sexual acts and requests to carry out sexual acts, physical contact of a sexual nature, comments of a sexual nature, as well as the unwanted showing or public exhibition of pornographic images.
- (5) There are no justifications for any such conduct.

### **3.4.3. Action in case of alleged misconduct**

- (1) Once the Hertie School determines that an allegation of discrimination, or any form of harassment is credible, Hertie School will take prompt and appropriate corrective action against such incidents.
- (2) In case of a suspected discrimination, harassment or sexual harassment, the Diversity and Inclusion Officer shall be informed; the Diversity and Inclusion Officer shall investigate the matter and initiate respective proceedings.

## **4. CONFLICT OF INTEREST**

The Hertie School expects their members to act in accordance with the principles of loyalty: All Hertie School members shall avoid any situations in which their personal or financial interests collide with corporate interests or the interests of the business or cooperation partners of the Hertie School. Conflicts of interest may lead to situations in which the integrity and professionalism of the Hertie School is challenged. The Hertie School Management and staff members shall disclose on an ad hoc basis and in writing any current, proposed or pending situations that may raise questions of potential conflict of interest as soon as such situations become known to them. The respective statements of the Management are to be submitted to the Ombudsperson and the Supervisory Board and the ones of the staff members to the Management as well as the Ombudsperson. The typical areas of conflict in this context are described below.

### **4.1. Relations with Funders**

- (1) The Management and the Hertie School staff members shall disclose on an ad hoc basis and in writing any information concerning their and their immediate family members' financial relations with any outside organizations that are sponsors of the Hertie School's teaching or research programmes, or are otherwise involved in any current, proposed or pending financial relation with the Hertie School. The respective statements of the Management are to be submitted to the Ombudsperson and the Supervisory Board and the ones of the staff members to the Management as well as the Ombudsperson.
- (2) The Management and faculty members shall not participate in external commissions which evaluate applicants for positions or decide on the granting of titles, if the persons evaluated by the respective commission are either sponsors of the Hertie School or immediate family members/life partners of the participants in the commission.
- (3) If in an internal commission, which evaluates applicants for positions or decides on the granting of titles, the person evaluated by the respective commission is a sponsor of the Hertie School, the Ombudsperson shall participate in the commission and safeguard the objectivity of the decision making.

### **4.2. Research Projects and Cooperation**

- (1) In situations in which the objectivity of a faculty member could reasonably be questioned, the Management of the Hertie School may ask the Ombudsperson to review the research project

under question. For research projects initiated by the President, Deans or the Ombudsperson that could reasonably be questioned the Ethics Committee shall undertake a thorough review and decide on the continuation of the project.

- (2) The Hertie School staff members may be executive members of any cooperation partners of the Hertie School, but shall inform the Management in advance and get its approval in order to avoid conflicts of interest. The Management may be executive members of any cooperation partner of the Hertie School, but shall inform the Supervisory Board and get its approval.

#### **4.3. Nepotism and Patronage**

- (1) It is unacceptable for Hertie School members to favour relatives (nepotism) or people they know (patronage) in decision-making and provision of services.
- (2) Hertie School members who participate in appointment procedures are obliged to reveal any relationship that they may have with the candidate, be it of private or professional nature, to the other members of the Appointment Committee and to the Ombudsperson. The Ombudsperson shall, on the basis of the history of the relationship, decide on the further participation of the member in the committee. The Ombudsperson may decide to remove the Hertie School member participating in the appointment procedure from their participation in the respective appointment committee with immediate effect on the grounds of prejudice or conflict of interest in which case a new committee member has to be appointed. There shall be a rebuttable presumption that members of appointment committees with a personal conflict of interest ought to recuse themselves.
- (3) In case a Hertie School staff member requests the conclusion of a contract (e.g. labour contract, contract for work or services, scholarship agreement, preparation of an expert opinion) with an immediate family member or someone with whom they have a close personal relation the staff member must disclose such relationship to the Management and to the Ombudsperson who will rule on the contract's admissibility.
- (4) In the case the Management intends to conclude a contract (e.g. labour contract, contract for work or services, scholarship agreement, preparation of an expert opinion) with a family member or someone with whom they have a personal relationship the Management must disclose such relationship to the Ombudsperson who will rule on the contract's admissibility. Final decisions on such contracts must be left to the discretion of the Supervisory Board.

### **5. CORRUPTION, MISCONDUCT OR ILLEGAL ACTIVITY**

#### **5.1. Corruption and Bribery**

The Hertie School does not accept or tolerate any type of corruption. The term corruption describes the misuse of power for personal interests. According to criminal law, this includes offenses such as bribery, corruptibility, acceptance or granting of undue benefits (§§ 331–335 of the German Criminal Code [*Strafgesetzbuch/StGB*]). Bribery and corruption in the course of business transactions constitute punishable acts which are subject to fines or imprisonment of up to three years, and up to five years in serious cases (§§ 299, 300 of the Criminal Code). Members of the Hertie School who are the subject of attempted bribery, i.e. who are offered or granted personal advantages in connection with business activities, shall immediately inform the Management and the Ombudsperson thereof.

#### **5.2. Unlawful Appropriation and Embezzlement**

No Hertie School member must illegally use or set aside items that do not belong to him/ her, nor dishonestly withhold assets for the purpose of conversion of such assets that have been entrusted to him/her to be held or used for other purposes. Unlawful appropriation and embezzlement are

punishable acts which are subject to fines or imprisonment of up to three/five years according to §§ 246, 266 of the German Criminal Code (*Strafgesetzbuch/StGB*).

### **5.3. Money laundering**

No member of the Hertie School must engage in any activities that violate any domestic or foreign money laundering regulations. "Money laundering" as defined in this Code of Conduct shall in particular mean the integration of any funds or other assets of direct or indirect criminal provenance into the regular economic cycle. Such acts are punishable according to § 261 of the German Criminal Code (*Strafgesetzbuch/StGB*).

### **5.4. Fraud**

Hertie School members must not engage in fraudulent activities. For the purposes of this Code, fraud is defined as dishonestly obtaining a benefit by intentional wrongful deception or other misleading means. Such acts are punishable according to § 263 of the German Criminal Code (*Strafgesetzbuch/StGB*).

### **5.5. Offering gifts or other advantages**

- (1) Gifts and invitations offered to business contacts are common business practice to a certain extent. The Hertie School members shall only offer gifts within the scope of common courtesy, and only if this does not convey the impression of dishonesty or incorrectness.
- (2) The value of any corporate gift should in principle not exceed 35,- Euros. In exceptional cases the value of gifts may exceed 35,-Euros; these cases must be well founded and documented accordingly. No personal advantages of any kind may be granted to domestic or foreign officials. The administrative regulations concerning the conduct of government officials in Germany and abroad may vary widely and provide for very low threshold values. Therefore, the utmost restraint is required in such cases.
- (3) The offering of cash gifts is prohibited without any exceptions.
- (4) Gifts may not be sent to private addresses as long as there is another official or business address.

### **5.6. Acceptance of gifts or other advantages**

- (1) No member of the Hertie School shall use their function or position to accept or solicit any personal advantages. The acceptance of gifts of minor value (in principle not exceeding 35,- Euros) is permitted. The acceptance of other gifts requires the approval of the superior as well as appropriate documentation and may have tax implications for the recipient.
- (2) The acceptance of cash gifts is prohibited without any exceptions.
- (3) Gifts sent to a private address may not be accepted and the Management as well as the Ombudsperson need to be informed.

## **6. PROCEDURE FOR HANDLING SUSPECTED VIOLATIONS OF THE CODE OF CONDUCT**

Allegations of improper behaviour, misconduct and violations of this Code as well as German and international law shall be treated seriously and resolved promptly. Based on a joint proposal by the Management and the Faculty, the Academic Senate of the Hertie School will appoint an Ombudsperson and an Ethics Committee for two years, with a possibility of reappointment. For handling suspected discrimination, and all forms of harassment, the Management of the Hertie School will appoint a Diversity and Inclusion Officer.

### **6.1. The Ombudsperson**

The Ombudsperson shall be a full-time faculty member of the Hertie School. The Ombudsperson shall provide confidential advice to those who inform them that misconduct is suspected and facilitate resolutions in an impartial manner. If the Ombudsperson is given information suggesting that misconduct has taken place, they shall investigate the circumstances, hear all parties concerned and shall recommend remedial measures to the Management according to their best judgment. In serious cases they shall inform the Management as well as the Ethics Committee about the respective investigation. In any case, they shall report the measures taken to the Ethics Committee and – if there is any – to the Hertie School member concerned. If considered necessary by the Ombudsperson, they may assign the issue to the Ethics Committee for clarification.

### **6.2. The Diversity and Inclusion Officer**

The Diversity and Inclusion Officer shall be a staff member of the Diversity, Equity and Inclusion Office of the Hertie School. The primary focus of the Diversity and Inclusion Officer is protection and promotion of equality, non-discrimination and diversity at the School. They shall listen to and review related matters raised by Hertie School members and respond to questions, ideas and concerns.

They will receive complaints and lead the procedure in cases of alleged discrimination, and all forms of harassment. In cases of complaints concerning discrimination, and all forms of harassment, the Diversity and Inclusion Officer shall:

1. Provide confidential advice to those who inform them that misconduct is suspected and, if appropriate, facilitate resolutions in an impartial manner.
2. If an informal resolution is not appropriate, they shall investigate the circumstances, hear all parties concerned and shall recommend remedial measures to the management according to their best judgment.

In serious cases, they shall inform the Management as well as the Ethics Committee about the respective investigation. In any case, they shall report the measures taken to the Ethics Committee and – if there is any – to the Hertie School member concerned. If considered necessary by the Diversity and Inclusion Officer, they may assign the issue to the Ethics Committee for clarification.

Further, the Diversity and Inclusion Officer shall provide support and advice for students with disabilities and special needs, serve as inclusion officer according to SGB IX §181 and can be approached with concerns or complaints in relation to the School's compatibility of work/study and family life.

### **6.3. The Ethics Committee**

The Ethics Committee is an appeal body responsible for overseeing and clarifying ethical issues and conflicts at the School. It shall consist of one member of the Board of Trustees as chair, one qualified external member, and one member of the Alumni Board. The chair may invite a tenured faculty member and/or a senior person from administration to sit temporarily on the Ethics Committee depending on the nature of the case to be discussed. The members will all be approved and appointed by the Academic Senate upon proposal by the Management. The Ethics Committee may take further action in response to the report of the Ombudsperson or the Diversity and Inclusion Officer and shall take action in case of an assignment by the Ombudsperson or the Diversity and Inclusion Officer or if requested by one of the Ethics Committee's members. The Ethics Committee shall take all necessary steps to clarify the matter, and shall inform the Academic Senate and the Management. According to its best judgement, the Ethics Committee shall take a decision on further steps to be taken, if necessary.

### **6.4. Reporting suspected violations**

- (1) Any questions or concerns regarding this Code may be communicated to the Ombudsperson. Members of the Hertie School who suspect criminal acts or serious irregularities are held to report such suspicions to the Ombudsperson and/or – in case of discrimination, harassment or sexual



harassment – to the Diversity and Inclusion Officer immediately. However, they must not knowingly make false disclosures.

- (2) In case of a suspected criminal act the Ombudsperson or the Diversity and Inclusion Officer has to inform the Management as well as the Ethics Committee who will jointly agree on the further steps to be taken.
- (3) The complainant may ask not to disclose their identity to anyone who does not have a substantiated interest to know. In case of complaints against the Ombudsperson or the Diversity and Inclusion Officer, the complaint shall be reported to the Ethics Committee directly. In case of complaints against a member or members of the Ethics Committee, such complaints shall not be handled by the person/s concerned but by the remaining members.

### **6.5. Hearings and right of appeal**

Recommendations of the Ombudsperson or the Diversity and Inclusion Officer and decisions of the management may be appealed to the Ethics Committee, who shall within reasonable time provide an assessment of their decision and recommendations (as well as any associated sanctions and remedial measures). The legal right of the persons concerned to be heard must be protected. They can ask to be given a personal hearing by the Ethics Committee, as can the complainant in the case of contradicting statements. The legal right of the person concerned, the complainant as well as the Hertie School to take recourse to the competent civil, administrative or criminal courts shall remain unaffected.

### **6.6. Breaches, sanctions and other remedial measures**

- (1) There is a general expectation that the Hertie School will have a high standard of integrity and be free from misconduct, corruption or other illegal activity. The Hertie School ensures that all Hertie School members are held accountable for inappropriate conduct. This includes reporting any conduct, which the Ombudsperson, the Diversity and Inclusion Officer and the Ethics Committee reasonably believe to be illegal, to the relevant authorities.
- (2) Any violation of the Code of Conduct is considered to be a breach of confidence. Even allegedly minor statutory violations by Hertie School members may considerably impair or damage the reputation of the Hertie School and shall not be tolerated. Any breach of law or other binding regulations by members of the Hertie School may have far-reaching consequences under labour law or under criminal law.
- (3) The Ombudsperson and the Diversity and Inclusion Officer may recommend to the Management of the School proportionate sanctions where they find that provisions of the Code of Conduct have been breached. These sanctions should take into account the interests of the parties involved and the nature and seriousness of the breach.
- (4) In cases of discrimination, harassment or sexual harassment, sanctions for students may include asking for (mediated) apologies, exclusion a member of School temporarily from campus, suspension of academic studies or work, supportive measures for affected persons and recommendations for awareness raising activities.
- (5) To protect the safety of the Members of the Hertie School, the School Management, upon the recommendation of the Ombudsperson or the Diversity and Inclusion Officer, may undertake precautionary measures where there is evidence a serious breach of the Code of Conduct has occurred. These measures should be proportionate and should cease to have effect once the investigation of any resulting complaint has been completed. Such measures should be reported to the Ombudsperson or (in the case of a breach regarding s3.4) the Diversity and Inclusion Officer.

## **7. TAKING EFFECT; REVIEW AND AMENDMENT PROCEDURE**

- (1) After having heard the Academic Senate, this Code of Conduct took effect on 01.03.2013 and remains in force in its current version of 6.12.2023 until revoked.
- (2) The Code of Conduct is subject to a yearly evaluation/review process.
- (3) Requests for amendments of this code shall be referred to the Management and to the Hertie School Ombudsperson. All suggested amendments will be reviewed and presented to the Academic Senate who shall confirm the incorporation of the amendments.

**Annex to the Hertie Code of Conduct Implementing the DFG Guidelines for Safeguarding  
Good Research Practice**

Original Codex text is available at  
[Guidelines for Safeguarding Good Research Practice. Code of Conduct](#)

**Guideline 1: Commitment to the general principles**

► The Hertie School, with the participation of Hertie School members, works to define rules of good research practice, ensuring that all Hertie School members are made aware of these guidelines and related policies and regulations, and requires all Hertie School members to comply with them with due regard for the type of research undertaken in the relevant subject area. Individual researchers are responsible for ensuring that their own conduct complies with the standards of good research practice. *The Hertie Code of Conduct* ('Code of Conduct') stipulates values, legal requirements, and internal regulations for good research practice and constitutes a binding set of rules for all members of the Hertie School; the School is committed to academic integrity, academic freedom, transparency, sustainability, mutual respect, diversity and inclusion for the stewardship of the public good. *The Hertie Handbook* ('Handbook') further sets out the Organisational Principles of the Hertie School.

**Guideline 2: Professional ethics**

► Hertie researchers are responsible for putting the fundamental values and norms of research into practice and advocating for them. All Hertie School members shall act in accordance with the values and principles set out in *the Code of Conduct* and adhere to all applicable standards of professional practice and ethical behaviour in carrying out the business of the Hertie School. Education in the principles of good research begins at the earliest possible stage in academic teaching and research training. All Hertie researchers at different career levels shall regularly update their knowledge about the standards of good research practice and the current state of the art, support each other in a process of continuous mutual learning and ongoing training, and maintain a regular dialogue. Good supervision is a key element to early career researchers; supervisors must protect and support the interests of their supervisees rather than their own goals or objectives. Supervisors must be cognisant of research ethics and integrity and avoid any explicit or implicit exploitation of their supervisees and the work they produce. Assessment of theses and dissertations must be carried out impartially, independently, and transparently using accepted standards.

**Guideline 3: Organisational responsibility of heads of research institutions**

► The Hertie Leadership formulates and manages the basic framework for research, is responsible for ensuring that an appropriate organisational structure is in place, and ensures that the tasks of leadership, supervision, quality assurance and conflict management are clearly allocated. They are responsible for ensuring adherence to and the promotion of good practices, and for appropriate career support for all researchers, including early career researchers. The Hertie Leadership guarantees the necessary conditions to enable researchers to comply with legal and ethical standards, as set out in *the Leadership Guidelines at the Hertie School*.

*The Hertie Statutes*, together with *the Handbook* and *Recruitment Guidelines* determine the appointment and terms of employment of professors, and the appointment and tasks of the

Management and Leadership including the Academic Senate. *The Handbook* also determines tenure review procedures for non-tenured faculty members, setting out a procedurally regulated route to tenure and career progression for all core faculty members. *The Code of Conduct* determines the selection and promotion of personnel and any other staff-related decisions, noting that these are to be made based on performance and qualification related criteria, observing the general principle of equal treatment. *The Handbook* also includes General rules regarding the recruitment and employment of new staff. In all activities the Hertie School aims to remove discrimination, eliminate unequal opportunities as well as biases and barriers for participation and does not discriminate, taking note of the General Equal Treatment Act.

For early career researchers, *the Doctoral Degree Regulations* sets out, *inter alia*, that the doctoral programme serves to deepen the doctoral candidate's theoretical and methodological knowledge, with the Hertie School accepting the duty to guarantee the supervision and the assessment of the dissertation project. The Hertie PhD Programmes organises seminars and workshops to early career researchers to support their thesis writing, training in publishing and professional skills, as well as career planning advice. Career Development at the Hertie School is a service providing information on job opportunities, career coaching, mock interviews, and guidance on application materials. Alumni Affairs offers support and organises events for the growing alumni body.

#### **Guideline 4: Responsibility of the heads of research work units**

► The head of a research unit is responsible for the entire unit. Collaboration within the unit shall be designed so that the group as a whole can perform its tasks, the necessary cooperation and coordination can be achieved, and all members understand their roles, rights, and duties. The research leadership role includes ensuring adequate individual supervision of early career researchers, integrated in the overall Hertie policy, as well as career development for researchers and research support staff. As a cornerstone of *the Hertie School's Strategic Plan 2018-23*, the School has established five new Centres of Competence as well as a Data Science Lab, with each centre led by a Centre Director who is a member of the Hertie School Faculty. *The Code of Conduct* addresses the Integrity of relationships between Hertie School members; organisational measures are in place at the level of the individual units, such as Centre Managers responsible for all administrative matters related to the centre and serving as first points of contact, and at the institutional level, such as the Ombudsperson, to prevent, investigate and initiate proceedings in any cases of abuse of power and exploitation of dependent relationships.

#### **Guideline 5: Dimensions of performance and assessment criteria**

► To assess the performance of researchers, a multidimensional approach is adopted; in addition to academic and scientific achievements, other aspects may be taken into consideration. *The Code of Conduct* states that selection and promotion of personnel as well as any other staff-related decisions shall be made on the basis of performance and qualification related criteria, while observing the general principle of equal treatment. Examples of aspects to be recognised include involvement in teaching, academic administration, public relations, knowledge and technology transfer, and contributions to the community. The researcher's approach to research, such as an openness to new findings and a willingness to take risks, can also be considered. *The Hertie Handbook* sets out the details of *the Merit-based Contract Review Procedure* for faculty members with permanent contracts that recognizes outstanding performance in teaching, research, and outreach.

In all activities the Hertie School aims to remove discrimination, eliminate unequal opportunities as well as biases and barriers for participation, with respect to the German General Equal Treatment Act. In 2020, the Hertie School launched the Anti-Discrimination Task Force to build on the work of *the 2018-2019 Diversity and Inclusion Strategy* with a specific focus on all forms of discrimination, including structural and institutional forms of discrimination. The work of the Task Force includes reviewing and where necessary improving the School's main documents and texts, including the Statutes, Code of Conduct, Diversity and Inclusion Statement and policy documents, as well as the School's complaints procedure concerning discrimination.

As a family-friendly university, the school takes into account individual circumstances stated and the different living conditions of individuals. Appropriate allowance shall be made for periods of absence due to personal, family or health reasons or for prolonged training or qualification phases resulting from such periods, and for alternative career paths or similar circumstances. The Diversity and Inclusion Officer can be approached with concerns or complaints in relation to the School's compatibility of work/study and family life.

#### **Guideline 6: Ombudsperson and Diversity and Inclusion Officer**

► The Hertie School Academic Senate appoints an Ombudsperson to whom members and employees can turn with questions relating to good research practice and in cases of suspected misconduct, as set out in *the Code of Conduct, the Statute of the Hertie School Ombudsperson* and *the Handbook*. The Hertie School management appoints a Diversity and Inclusion Officer to whom members and employees can turn with questions and concerns or to report cases of suspected discrimination, harassment or sexual harassment. The School takes sufficient care to ensure that the Hertie School members are aware of who the Ombudsperson and the Diversity and Inclusion Officer at the institution are, for instance, by awareness raising campaigns. *The Statute of the Hertie School Ombudsperson* lays down regulations and conditions governing the performance of the Ombudsperson's duties as well as their appointment, responsibilities, and powers of investigation. The Ombudsperson must have the aptitude, professional competence, and experience necessary for fulfilling their functions. *The Statute of the Hertie School Ombudsperson* notes that the Ombudsperson must be autonomous and addresses conflicts of interest, complaints against, and dismissal of the Ombudsperson. The Ombudsperson will be appointed for two years, with a possibility of reappointment. In serious cases they shall inform the Management as well as the Ethics Committee about the respective investigation. In any case, they shall report the measures taken to the Ethics Committee and – if there is any – to the Hertie School member concerned. In case the Ombudsperson should pass away, fall ill, become suddenly unavailable or be dismissed during an on-going investigation or proceeding, the Ethics Committee shall replace the Ombudsperson and resume his/her activities and responsibilities. The legal right of the person concerned, the complainant as well as the Hertie School to take recourse to the competent civil, administrative or criminal courts shall remain unaffected.

#### **Guideline 7: Cross-phase quality assurance**

► Researchers carry out each step of the research process *lege artis* – state of the art. The Hertie Schools holds that conditions concordant with the production of research should be actively supported. When research findings are made publicly available, the quality assurance mechanisms used should always explained. This applies especially when new methods are developed. All Hertie School researchers are required to provide publication details of their research results for the Hertie

School Research Depository (OPUS) no later than the date of the original publication. In submitting documents to OPUS, the system checks the publication for quality assurance, acting as an internal control mechanism. If researchers have made their findings publicly available and subsequently become aware of inconsistencies or errors in them, they shall make the necessary corrections. If the inconsistencies or errors constitute grounds for retracting a publication, the researchers shall promptly request the publisher, infrastructure provider, or other supplier to correct or retract the publication and make a corresponding announcement. The same applies if researchers are made aware of such inconsistencies or errors by third parties. Under *the Hertie School Open Access Policy*, all researchers must ensure that all publications include acknowledgement of the source of funding for the research on which the respective publications are based.

*The Code of Conduct* addresses plagiarism and research misconduct and potential consequences. *The Hertie School Copyright Policy* determines that using wordings, ideas, or other intellectual work of others in an academic work without clearly indicating the author thereof and all other forms of plagiarism are strictly prohibited. The obligation to indicate the authorship of others applies irrespective of whether the sources used are protected by any copyright.

The nature and the scope of research data generated during the research process are described and data are handled in accordance with the requirements of the relevant subject area. The source code of publicly available software must be persistent, citable, and documented. It is an essential part of quality assurance that results or findings can be accessible, replicated or confirmed by other researchers, in accordance with the FAIR Guiding Principles.

#### **Guideline 8: Stakeholders, responsibilities, and roles**

► The roles and responsibilities of the researchers and research support staff participating in a research project must be clear at each stage of the project, adaptable if the focus of participant's work changes, and all participants should engage in regular dialogue.

#### **Guideline 9: Research design**

► *The Statutes of the Hertie School* stipulate that academic staff members are entitled to freedom of research. Freedom of research may encompass research design, research methods, assessment of research results as well as their distribution. Researchers take into account and acknowledge the current state of research when planning a project. To identify relevant and suitable research questions, they familiarise themselves with existing research in the public domain. The Hertie School ensures that the necessary basic framework for this is in place. All Hertie faculty members self-organize as one overarching body that seeks to create numerous opportunities for collaboration across different disciplines. Skills workshops and research ethics training for early career researchers ensure their understanding of methods to avoid (unconscious) distortions in the interpretation of findings and gender and diversity dimensions of research projects (with regard to methods, work programme, objectives, etc.).

#### **Guideline 10: Legal and ethical frameworks, usage rights**

► Researchers adopt a responsible approach to the freedom of research, constitutionally guaranteed under Art. 5 of the Basic Law for the Federal Republic of Germany. Researchers comply with rights and obligations, particularly those arising from legal requirements and contracts with third parties,

and where necessary, seek approvals and ethics statements and present these when required. In all externally funded projects, but in particularly in contract research and commercial services, researchers must ensure that honest, objective, and neutral research is their main goal, regardless of financial, reputational, or other incentives. As set out in the Hertie Policy on Contract Research and Commercial Services, all externally funded activities at the Hertie School will be conducted within the framework of Hertie School policies and regulations, including, but not limited to, *the Code of Conduct, the Copyright Policy, the Third-Party Funding Policy, the Signing Rules, and the Workflow Contract Management*. In any unclear matters, the researcher should immediately contact Third Party Funding Department, Research Ethics Officer, or the Management.

With regard to research projects, the potential consequences of the research should be evaluated in detail and the ethical aspects should be assessed. The legal framework of a research project includes documented agreements on usage rights relating to data and results generated by the project. The Hertie School has set up a research ethics mechanism to advise, review, and provide ethics statements. The research ethics review involves two stages: self-assessment and full review. If submitted for a full review by the Research Ethics Officer, the Officer evaluates the application, and submits and signs an evaluation report and/or issues a recommendation, in accordance with *the Hertie Statutes, the Code of Conduct* and policies. In some instances, a pre-analysis plan workshop can provide an alternative to a full review. The research ethics review mechanism is open to all members of the Hertie School, including master students, whose research might involve ethical questions that would need to be checked at any point during their research. The mechanism pays particular attention to requirements of different funders, aspects associated with security-relevant research, and proper data management procedures, taking into account *the Hertie Strategic Guidelines for Data Management* (TBC). The researchers are encouraged to conclude documented agreements on usage rights at the earliest possible point in a research project.

#### **Guideline 11: Methods and standards**

► To answer research questions, researchers use scientifically sound and appropriate methods. When developing and applying new methods, they attach particular importance to quality assurance and the establishment of standards. The Hertie Research Ethics Officer provides support to researchers in assessing scientifically sound and appropriate methods, ensures quality assurance and establishes and reviews standards in particular cases. The skills training of PhD researchers includes methods, the use of software, the collection of research data and the description of research results.

#### **Guideline 12: Documentation**

► Researchers shall document all information relevant to the production of research results to allow the results to be reviewed and assessed. This includes documenting individual results that do not support the research hypothesis and the selection of results must be avoided. Where subject-specific recommendations exist for review and assessment, researchers shall create documentation accordingly. If the documentation does not satisfy these requirements, the constraints, and the reasons for them shall be clearly explained. Documentation and research results must not be manipulated and they are to be protected as effectively as possible against manipulation. To enable replication researchers shall make available the information necessary to understand the research (including the research data used or generated, the methodological, evaluation and analytical steps taken, and, if relevant, the development of the hypothesis), to ensure that citations are clear, and as far as possible, to enable third parties to access this information. All Hertie researchers are highly

encouraged to use the services offered by the IT and Library, such as OPUS - Hertie School Research Repository, in documenting their research. Where research software is being developed, the source code shall be documented. In addition to *the Hertie School Research Repository (HSRR) Regulations* and *the Hertie School Copyright Policy*, the Hertie School is developing Strategic Guidelines for Data Management, including the responsibilities of an Open Access Officer in charge of also the data management. This includes description of proper procedures for data management, including measures to comply with GDPR in collecting and processing of personal data for research purposes.

### **Guideline 13: Providing public access to research results**

As a rule, researchers shall make all results available as part of scientific/academic discourse, in accordance with the FAIR principles, including their primary data, whenever possible. As noted in *the Hertie School Open Access Policy*, the Hertie School encourages its members to use OA publication forms of publishing whenever possible. The Hertie School is a member of the Projekt DEAL (Bundesweite Lizenzierung von Angeboten großer Wissenschaftsverlage) open access agreement, which has majorly impacted the ability to advance open access to publications of the Hertie researchers.

Researchers should decide autonomously whether, how and where to disseminate their results and ensure they are described clearly and in full. This includes making the research data, methods, software, materials, and information on which the results are based available, fully explaining the work processes. All Hertie researchers are highly encouraged to use OPUS, the Hertie School Research Repository, for providing public access to their work, including PhD Theses, post-prints, and working papers. It is also recommended that they upload their metadata and data sets into OPUS. Software programmed by researchers shall be made publicly available along with the source code, using OPUS and external generalist or subject-specific public data archives and repositories that can be reached through: <https://www.re3data.org/>. If self-developed research software is to be made available to third parties, an appropriate licence should be provided. The regulations of OPUS repository are detailed in *the Hertie School Research Repository (HSRR) Regulations*, which also elaborates that the Hertie School encourages authors to assign a Creative Commons License conforming to Open Access to avoid barriers of copyright law for the free circulation of ideas and the distribution of scientific findings.

### **Guideline 14: Authorship**

► An author is an individual who has made a genuine, identifiable contribution to the content of a research publication of text, data, or software. This must be evaluated on a case-by-case basis and depends on the subject area in question. All authors agree on the final version of the work to be published and to the order in which authors are named. Unless explicitly stated otherwise, they share responsibility for the publication. Authors seek to ensure that, as far as possible, their contributions are identified by publishers or infrastructure providers such that they can be correctly cited by users. If a contribution is not sufficient to justify authorship, support may be properly acknowledged in footnotes, a foreword or an acknowledgement. Researchers may not refuse to give their consent to publication of the results without sufficient grounds. Refusal of consent must be justified with verifiable criticism of data, methods, or results. Honorary authorship where no clear contribution was made is not permissible. A leadership or supervisory function does not itself constitute co-authorship – this is of particular importance in areas where academic culture assumes doctoral researchers to produce joint publications with their supervisor.



### **Guideline 15: Publication medium**

► Authors select the publication medium carefully, with due regard for its quality and visibility in the relevant field of discourse. Researchers who assume the role of editor carefully select where they will carry out this activity. The scientific/academic quality of a contribution does not depend on the medium in which it is published but researchers should be aware of predatory journals. Publication ethics is included in the skills training for the Hertie PhD researchers

In addition to publication in books and journals, authors may consider academic repositories, such as OPUS at the Hertie School and other data and software repositories, and blogs. A new or unknown publication medium should be evaluated to assess its seriousness. A key criterion to selecting a publication medium is whether it has established guidelines on good research practice. This includes endorsement of Open Science and the provision of Open Access. The Hertie School is a strong advocate of Open Access and *the Hertie School Open Access Policy* sets out the aims and standards in this regard. OPUS completely fulfills all Open Access standards, for example, the FAIR principles.

### **Guideline 16: Confidentiality and neutrality of review processes and discussions**

► In review processes, fair behaviour is the basis for legitimacy. Researchers who evaluate submitted manuscripts, funding proposals or personal qualifications are obliged to maintain strict confidentiality with regard to this process. Before commencing a review or evaluation, researchers must disclose all facts that could give rise to the appearance of a conflict of interest. The duty of confidentiality and disclosure of facts that could give rise to the appearance of a conflict of interest also applies to members of research advisory and decision-making bodies. Researchers must immediately disclose to the responsible body any potential or apparent conflicts of interest, bias or favouritism relating to the research project being reviewed or the person or matter being discussed.

### **Guideline 17: Archiving**

► Researchers shall back up research data, results, central materials, and the research software by adequate means according to the standards of the relevant subject area and retain them for an appropriate period of time. As stated in *the Hertie School Open Access Policy*, all Hertie School researchers are required to provide publication details of their research results for the Hertie School Research Depository no later than the date of the original publication and to submit the full text of the final, peer-reviewed, authorial version of journal articles to the Hertie School Library no later than three months after acceptance for publication.

Where justifiable reasons exist for not archiving particular data, researchers must be able to explain these reasons. The Hertie School ensures that the infrastructure necessary to enable archiving is in place: As set out in *the Hertie School Research Repository (HSRR) Regulations*, OPUS offers to all faculty members and researchers of the Hertie School the organizational and technical framework for electronic publication and long-term archiving of scientific results beyond the minimum of 10 years.

### **Guideline 18: Complainants and respondents**

► The Ombudsperson, the Diversity and Inclusion Officer and the Ethics Committee at the Hertie School examine allegations of misconduct and take appropriate measures to protect both the complainant and the respondent.

Hertie School members are entitled to confidentially communicate and submit to the Ombudsperson, the Diversity and Inclusion Officer and Ethics Committee complaints of suspected or evidenced misconduct subject to *the Code of Conduct's* area of application, be it of a private or professional nature, including severe violations and criminal offences. The persons concerned can ask to be given a personal hearing by the Ethics Committee.

*The Statute of the Hertie School Ombudsperson and the Statute of the Hertie School Ethics Committee*, with reference to *the Hertie Code of Conduct*, define the procedure and enquiries for handling suspected violations, and note that all issues and cases reported to or investigated, and all personal data, shall be treated confidentially. The complainant may ask not to disclose his/her identity to anyone who does not have a substantiated interest to know. Members of the Hertie School must not knowingly make false disclosures.

### **Guideline 19: Procedures in cases of alleged research misconduct**

► There is a general expectation that the Hertie School will have a high standard of integrity and be free from misconduct, corruption, or other illegal activity. *The Code of Conduct* addresses plagiarism and academic integrity in detail, as key examples of research misconduct. Research misconduct can also include but is not limited to fabrication, falsification and misrepresentation of data, failure to comply with legislative and regulatory requirements, or any violation of generally accepted research practices.

The Hertie School ensures that all Hertie School members are held accountable for inappropriate conduct. This includes reporting any conduct, which the Ombudsperson, the Diversity and Inclusion Officer and the Ethics Committee reasonably believe to be illegal, to the relevant authorities. The Hertie School has established procedures to handle allegations of research misconduct, improper behaviour, and violations of the Code. *The Code of Conduct, the Statute of the Hertie School Ombudsperson and the Statute of the Hertie School Ethics Committee* define some circumstances that may constitute misconduct, procedural rules, and the measures to take should an allegation be made.

*The Code of Conduct* sets out that in case of a suspected case of plagiarism or violation of standards of academic integrity (deceiving or trying to deceive in the conduct with other members or partners of the Hertie School, or harassing and insulting behaviour or language) by a student, the course instructor shall submit the matter to the Examination Committee, which may initiate proceedings stipulated in *the Hertie School Examination Rules*. In case of a suspected violation of these standards by other Hertie School members, the Management and the Ombudsperson shall be informed; the Ombudsperson shall investigate the matter and initiate respective proceedings. Similarly, in a case of suspected discrimination, harassment or sexual harassment, the Management and the Diversity and Inclusion Officer shall be informed; the Diversity and Inclusion Officer shall investigate the matter and initiate respective proceedings.

Any violation of *the Code of Conduct* is considered to be a breach of confidence. The potential sanctions for students are set out in *the Code of Conduct*. In case of other members, the Ombudsperson and the Diversity and Inclusion Officer may recommend to the Management of the School remedial measures or proportionate sanctions where they find that provisions of *the Code of Conduct* have been breached. These sanctions should take into account the interests of the parties involved and the nature and seriousness of the breach. As the cases of misconduct can be diverse, the Ombudsperson, the Diversity and Inclusion Officer and the Management have a degree of discretion to determine sanctions for misconduct as long as the sanctions are proportional. They may include but are not limited to mediation, apology, requiring amendment of published work, mandatory

counselling or training. There is the possibility of appeal. Any conduct, which the Ombudsperson, the Diversity and Inclusion Officer and the Ethics Committee reasonably believe to be illegal will be reported to the relevant authorities.