

VUB COMMITTEE FOR SCIENTIFIC INTEGRITY

Regulations

ENGLISH TRANSLATION: This is a translation of the document Commissie Wetenschappelijk Integriteit: Reglement (Approved by the VUB Academic Council, AR d.d. 14.09.2020 – code AR.092/A9/02). The English translation is a reference document for parties involved in CWI Activities who do not speak English. The Flemish version of the document is the official version, and in case of conflicts between the documents, the Flemish version will take precedence.

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PREAMBLE

The Vrije Universiteit Brussel (hereinafter referred to as 'VUB') has an active policy with regard to scientific integrity. In the first place, the VUB subscribes to the Code of Ethics for Scientific Research in Belgium, drawn up by the four Academies of Belgium; and the European Code of Conduct for Research Integrity, drawn up by the European Federation of Academies of Sciences and Humanities (hereinafter 'ALLEA '). The VUB also conducts its own policy with regard to scientific integrity, including through its Charter for the Researcher and through the activities of the various services and decision-making bodies.

In addition, concrete complaints about possible violations of the standards of scientific integrity are handled autonomously. To this end, the VUB has installed a Committee for Scientific Integrity (hereinafter: 'CWI'). The CWI is a special advisory body to the VUB Academic Council ('Academische Raad'). The CWI is responsible for assessing reports of alleged violations of scientific integrity. The CWI advises the VUB Academic Council on the basis of conclusions from investigations of alleged violations. The CWI is composed and carries out its duties in accordance with the CWI Regulations described below (hereinafter referred to as the 'Regulations'). Complaints are handled in accordance with the CWI Procedure for handling reports of violations of scientific integrity (hereafter "CWI Procedure"). This CWI Procedure is an integral part of the Regulations and has been added as Appendix 1.

The CWI is assisted by the employees of the Legal & Ethics Office (LEO), established within the Research & Data Management Department (hereinafter 'RD') of the VUB. Within LEO there is a policy officer for ethics and integrity who is responsible for implementing policy and training with regard to scientific integrity.

The University will ensure that reports made in good faith within the VUB do not give rise to negative consequences for the reporter. Reporters who fear such consequences can contact the contact point for reporting integrity violations; the academic ombudsperson; and for PhD students, the ombudspersons for PhD students. These bodies can, where necessary, take steps to ensure that such consequences do not occur, or that they are undone.

Title 1. Definitions

Term 'CWI'/Abbreviation 'CWI': The VUB Committee for Scientific Integrity: The permanent core, the pool of ZAP members, the legal academic expert, and the RD employees who are appointed by the Academic Council in accordance with the Regulations; Scientific Integrity Committee of the VUB

Investigation Committee: The members of the CWI who are appointed by the Chairman to deal with a submitted report;

Report: The report of an alleged violation of scientific integrity;

Reporter: The person making the report;

Person Concerned: The person to whom the report relates;

Parties: The collection of primary interested persons involved in the procedure, including the reporter, the person concerned, the witness, the expert, etc., with the exclusion of the Commission of Inquiry and the Rector;

Third parties: The persons who may be (in)directly involved in the proceedings before the CWI but who cannot be regarded as primary stakeholders (e.g. the lawyer, fellow scientists, press, etc.);

Advisor: The person designated by the reporter or person concerned who assists them during the procedure. This person can assist the reporter or person concerned during the hearing. The advisor cannot take any action themselves (e.g. intervene, etc.) and is bound by the same regulatory conditions as the party itself. The reporter and the person concerned can only designate one (1) person per procedure and must notify the investigation committee at the start of the procedure.

Title 2. Composition

Article 1 – Guidelines for Composition

The following guidelines are used for the composition of the CWI:

The members have research experience that is recent enough to have the necessary affinity with current research and its methods;

The members must have an impeccable track record with regard to scientific integrity. If a candidate member of the CWI was ever involved in a procedure or investigation concerning scientific integrity, regardless of the position or status held at the time, regardless of the period or institution to which one was affiliated at the time, and regardless if there were serious doubts were about the integrity of the scientific work, this should be reported when nominating the candidate;

Members must be able and willing to show a high level of commitment and must be able to give participation in the CWI the highest priority in their agenda;

Membership of the CWI is incompatible with the position of rector, vice rector, academic administrator, director of the central administration, dean, institutional ombudsperson, confidential counselor, ombudsperson for PhD students;

Membership of the CWI inquiry committee is incompatible with the position of member of the disciplinary committee, member of the faculty evaluation committee, or faculty ombudsperson for students of the faculty of one of the parties involved.

Article 2 – Composition of permanent CWI

The CWI consists of a permanent core of academic experts and administrative staff. This permanent core forms the basis for the composition of the investigation committee in accordance with Article 3 §4 of the CWI Procedure. The permanent core is approved by the Academic Council.

The permanent core is composed as follows:

A chairman

- A legal academic expert and a substitute
- 6 permanent members: 2 ZAP members from human and social sciences; 2 ZAP members from the natural sciences and (bio) engineering sciences, and two ZAP members from the biosciences and medicine. Within this group, the Chairman of the CWI appoints a deputy chairman
- A secretary from the Research and Data Management Service
- An legal advisor from the Research and Data Management Service with an advisory vote, who is also designated as deputy to the secretary in case of *force majeure* and/or long-term absence

Article 3 – Composition of Investigation Committees

Investigation Committees are composed by the Chairman and the Secretary from the members of the permanent CWI in function of the dossier in question, if necessary supplemented by ad hoc members and external experts. Investigation committees are responsible for examining submitted files in accordance with the CWI Procedure. A committee of inquiry must at least consist of:

1. the Chair
2. two permanent committee members
3. the legal academic expert
4. the secretary
5. a legal advisor from RD
6. Depending on the case being investigated, the Chair may also designate *ad hoc* members of the investigation committees. *Ad hoc* members have the same rights and responsibilities as the permanent committee members when they act as members of the inquiry committees. *Ad hoc* members have the expertise needed to investigate the case.

The chairman, permanent members, ad hoc members, and legal-academic expert have full voting rights. The secretary and legal advisor have an advisory vote.

A commission of inquiry may also consult internal or external experts as stipulated in the CWI Procedure. These experts have no voting rights.

Article 4 – Secretary and Legal Advisor

The secretary and lawyer are appointed from the RD personnel. With a view to guaranteeing continuity within the functioning of the CWI and building up administrative expertise, these appointments can be extended indefinitely. Any absences are taken care of by staff from the RD service.

Article 5 – Responsibility for CWI Composition

The permanent members are appointed by the Academic Council. The composition is reviewed annually by the Academic Council.

Article 6 – Period of Appointment

The members of the CWI are appointed for a renewable term of four years, starting six (6) months after taking up the office of the newly elected Rector.

Article 7 – Confidentiality

All members of the CWI comply with these Regulations and strictly follow the CWI Procedure. All members sign a statement in which they confirm that they have taken note of and agree to the Regulations and the CWI Procedure, as well as being prepared to respect confidentiality. This declaration is valid during the entire term of office of the members.

Title 3. Tasks

Article 8 – Duties of the Chair

The duties of the Chair of the CWI are the following:

The Chair monitors the objectivity and independence of the CWI throughout the procedure;

The Chair receives the reports that the secretary has declared admissible, and sets up a committee of inquiry according to the CWI Procedure;

The Chair advises the rector, possibly in consultation with the members of the inquiry committee, whether additional measures are necessary after the report has been made to prevent further risk for the reporter, the person concerned, the institution, third parties, animals, material and/or the environment ;

The Chair, together with the members of the inquiry committee, decides on the need to organize exploratory discussions at the start of the procedure and to invite additional witnesses or experts after the hearing with the reporter and those involved;

The Chair opens and closes the hearings and leads the debates. During the session, the Chair has an important role in seeking consensus in the decision-making process based on the individual interventions of the members of the Investigation Committee: the aim is to reconcile dissenting opinions;

The Chair arranges the activities of the CWI when handling the dossiers, in collaboration with the secretary;

The Chair finally approves the report, as drawn up by the secretary, if necessary taking into account the comments made by the other members of the inquiry committee;

The Chair consults with the Rector about a suitable communication strategy. If necessary, referrals can be made to other competent services of the institution;

The Chair follows up any remedy for violations of scientific integrity established by the investigation committee;

The Chair provides the necessary explanation to the Rector when submitting the final follow-up report;

The Chair determines all additional actions that are required for the correct handling of the dossier, in accordance with the Regulations.

The Chair advises the Academic Council on integrity policy based on experience and expertise gained from handling files.

Article 9 – Duties of secretary

The duties of the secretary are the following:

The secretary provides advice relating to the CWI procedure to anyone who requests it;

The secretary answers all questions from the reporter and the person concerned for additional information about the handling and outcome of a dossier, as provided for at the end of the procedure;

The secretary receives reports about integrity problems and supports the CWI in processing dossiers;

The secretary advises the CWI about the admissibility of the report;

With respect for the confidential nature of the CWI procedure, the secretary draws up an anonymised report every year on the handling of the submitted complaints.

Article 10 – Duties of permanent committee members

The duties of the permanent committee members are the following:

The permanent committee members are expected to participate in the investigation committees;

The permanent committee members follow the communication of the secretary and, if necessary, prepare the meetings on the basis of the documents sent by the secretary;

The permanent committee members assess the need to organize exploratory discussions at the start of the procedure and to invite additional witnesses or experts after the hearing with the reporter and the person(s) involved;

The permanent committee members attend the meetings of the investigation committees at the request of the Chair and provide expert advice on scientific integrity during the investigations. They support the Chair in drawing up a final conclusion;

At the request of the Chair, the permanent committee members advise whether additional measures are necessary after the report has been made to prevent further risk for the reporter, the person(s) involved, the institution, third parties, animals, material and/or the environment. This advice is forwarded to the rector, who takes the final decision;

At the request of the Chair, the permanent committee members advise whether additional measures are necessary to guarantee the integrity of the investigation by the CWI;

The permanent committee members provide the necessary input for the reporting and approve it.

Article 11 – Duties of *ad hoc* committee members

The *ad hoc* committee members are expected to participate in the inquiry committees for which they have been appointed;

The *ad hoc* committee members follow the communication of the secretary and, if necessary, prepare the meetings on the basis of the documents sent by the secretary;

The *ad hoc* committee members assess the need to organize exploratory discussions at the start of the procedure and to invite additional witnesses or experts after the hearing with the reporter and the person(s) involved;

The *ad hoc* committee members attend the meetings of the inquiry committees at the request of the Chair and provide expert advice on scientific integrity. They support the Chair in drawing up a final conclusion;

Advise the *ad hoc* committee members at the request of the Chair whether additional measures are necessary after the report to prevent further risk for the reporter, the person(s) involved, the institution, third parties, animals, material and/or the environment. This advice is forwarded to the rector, who takes the final decision;

At the request of the Chair, the *ad hoc* committee members advise whether additional measures are necessary to guarantee the integrity of the investigation by the CWI;

The *ad hoc* committee members provide the necessary input for the reporting and approve it.

Article 12 – Rights and obligations of the Committee Members

All members of the CWI have the right to participate in the work of the CWI within the formal procedure. All committee members are expected to cooperate in the handling of the files if invited by the Chair and if they have no conflict of interest. They also have the right to inspect all documents associated with the handling of the file, if respect for the protection of the identity of the data subject(s) and the reporting person allows this, and if there are no conflicts of interest.

Article 13 – Integrity of the Committee Members

If, during the term of office, a member of the CWI becomes involved in a procedure or investigation into scientific integrity, regardless of the institution at which this investigation takes place, or if serious doubts have arisen within his or her field about the integrity of the scientific work, the member must immediately report this to the Chairman and the Secretary. The Academic Council may then decide to withdraw the appointment and appoint a new member.

Article 14 – Handling complaints

Objectivity and confidentiality are two central values within the CWI Procedure that help determine its credibility. As such, Committee Members are expected to ensure these values are respected when handling dossier. This means that members must follow the following rules:

Treat all information obtained from the handled files confidentially;

Maintain the confidentiality of the investigation, as stipulated in the Regulations and the CWI Procedure;

Immediately report possible integrity issues, such as those referred to in Article 13 of these Regulations;

Immediately report potential conflicts of interest, as defined in Article 15;

Formulate their advice independently and without external influence.

Article 15 – Conflicts of Interest

A conflict of interest exists when a member of the CWI is or has been in a supervisory position with regard to the data subject(s), cooperates in the scientific research of the data subject(s) or has a relationship of kinship with the person(s) involved or the reporter.

Article 16 – Absence of Committee members

The members of the CWI and the Secretary must report any absences longer than four weeks to all other members in good time so that the proper functioning and decision-making of the investigation committee is not jeopardized. In the event of the absence of the Chair or secretary, the deputy Chair or the deputy secretary is appointed. In the event of the absence of a member of the Investigation Committee, the chairperson will appoint a deputy member if necessary. The minimum composition of the Investigation Committee must always be ensured.

Article 17 – Failure to comply with the Regulations and the CWI Procedure

In the event of non-compliance with the Regulations and the CWI Procedure, the Academic Council may decide to terminate the appointment of a member of the CWI with immediate effect. In this case, the Academic Council will appoint a new member.

Article 18 – Meeting calendar

The CWI and the investigation committees do not have a fixed meeting calendar, but meet in function of the reports received and the follow-up of current files. The investigation committees are convened in accordance with the CWI Procedure (Appendix 1).

Article 19 – Electronic deliberations

§1. If all members agree and the agenda does not require a physical meeting, the CWI or investigation committee can also deliberate electronically (via e-mail or online). The members undertake to reply to e-mails within a reasonable period determined by the President.

§2. Such electronic deliberation can only validly decide if everyone expressly agrees to it with result. If there is disagreement, a physical deliberation should take place in any case.

Article 20 – Decision method

The recommendations of the investigation committee are preferably issued by consensus. If one or more members do not agree with a majority position, the position of the majority of the members is followed. In this case, the minority view is included in all reporting.

Article 21 – ve reporting

§1. The secretary is responsible for preparing all reports of the CWI as described below

§2. The reporting must specify:

The date of the meeting;

The name of those present, excused and absent, as far as respect for anonymity allows;

A concise report of the discussion and the decisions taken, taking confidentiality into account.

Article 22 – Flemish Committee for Scientific Integrity

The VCWI - established at the Royal Flemish Academy of Belgium - is authorized to advise on general issues related to scientific integrity, on its own initiative or at the request of scientific institutions.

The VCWI is also authorized to issue a second advice in connection with alleged violations of scientific integrity to an institution that recognizes the VCWI as an advisory body, after the CWI of this institution has communicated a CWI advice and when a second advice from the VCWI is requested.

A request to the VCWI for a second opinion on an alleged breach of scientific integrity is admissible if:

1. the CWI has received a report from the VUB, has issued a CWI advice about it in accordance with its own rules and a copy of this has been added to the second request for advice;
2. the identity of the second requester for advice is known to the CWI, and in particular is one of the following three: either the institution, or the reporter, or the person involved
3. the request for a second advice reaches the VCWI, at the latest 30 calendar days after notification of the CWI advice.

Article 23 – Transitional measures

In order to guarantee an efficient follow-up of current files, the previous regulations regarding the procedure in the event of a breach of scientific integrity will continue to apply to dossiers started prior to the final approval of the current Regulations and the CWI Procedure. These dossier are investigated by the CWI as it was composed prior to the approval of the Regulations and the CWI Procedure.

APPENDIX 1. CWI Procedure for handling breach reports

TITLE 1. PURPOSE

TITLE 2. AUTHORITY

TITLE 3. GUARANTEES CWI PROCEDURE

TITLE 4. PHASES CWI PROCEDURE

Article 1 – Phase 1: notification

Article 2 – Phase 2: admissibility investigation

Article 3 – Phase 3: preliminary investigation

Article 4 – Phase 4: main study

Article 5 – phase 5: follow-up at CWI level

Article 6 – phase 6: succession at the level of the rector

TITLE 5. FINAL PROVISIONS

TITLE 1. PURPOSE

This CWI Appendix describes the procedure for investigating violations of scientific integrity. By following this procedure, an investigation committee of the CWI decides whether or not a violation of scientific integrity as defined in the ALLEA Code and/or of the guidelines applicable to the institution related to scientific integrity (VUB Charter For The Researcher; publication policy, any (faculty) author guidelines, doctoral regulations, ...) has occurred. The investigation committee draws up a recommendation on the report of a violation. This advice contains a clear position with regard to whether or not a violation of scientific integrity has occurred. It indicates the degree of seriousness of the infringement and, if necessary, makes (a number of) suggestions for possible suitable remediation and follow-up of the file, either by the chair of the CWI or by the rector.

TITLE 2. JURISDICTION

1. This procedure applies to researchers affiliated with the VUB or UZ Brussel, who were affiliated with the VUB or UZ Brussel at the time of the alleged violations of integrity, and/or to research activities that take place or took place at the VUB or UZ Brussel. In the case of research carried out at another institution or on behalf of another institution but by a researcher affiliated with the VUB, now or at the time of the research, the CWI may either in consultation with the other institution(s), or itself, initiate an investigation into possible infringements. This is also the case for a researcher affiliated with another institution whose research was conducted at the VUB or UZ Brussel. If an investigation into an alleged breach of scientific integrity has already taken place and been concluded at another institution and if there are no new facts or evidence, the VUB CWI will not start a new investigation.

2. The scope is limited to the aspects of scientific integrity as described in the “European Code of Conduct for Research Integrity (ALLEA Code)”. The Commission is primarily competent for the following violations of scientific integrity, and uses the definitions included in the ALLEA Code for the following violations:

a. Falsification

b. Manufacturing

c. Plagiarism

d. Other unacceptable research practices. The Commission emphasizes that the list of such practices in the ALLEA Code is not an exhaustive list and that the Commission may also consider other practices to be unacceptable

3. The Committee may also base its decisions on other guidelines that apply within the institution that are related to ethical scientific behavior (Charter for the Researcher; publication policy, any (faculty) author guidelines, Central Regulations for the Award of the Academic Degree of Doctor, ...) The committee may consult other documents on the basis of the following conditions:

- The document is part of the regulations of the VUB; and/or

- The document is part of the regulations of the VCWI

- The document has been approved by another body that is competent for scientific integrity.

4. This procedure does not apply to infringements/matters that do not infringe scientific integrity and for which other organisations, committees or persons within the VUB have specific authority, such as the university ethics committees, ombudspersons, disciplinary bodies, etc..

TITLE 3. GUARANTEES CWI PROCEDURE

1. The investigation committee has an independent and autonomous position with regard to the university management, and conducts its investigation in complete objectivity. This results in, among other things, that decisions at different moments in the procedure are taken by different people in the organization (admissibility by the secretary, investigation by the committee, final decision by the rector) and that, in principle, there is no contact and/or exchange of information between these persons, subject to the exceptions provided for in this CWI Procedure.

2. Any person who acts within the procedure, either as a direct party (e.g. reporter, person concerned,...) or as an indirect party (e.g. advisor, witness,...), is deemed to have made themselves aware of and to agree with the CWI Regulations and the CWI Procedure, in particular with the provisions regarding confidentiality. Both regulations are communicated to all parties involved at the beginning of the procedure, with particular emphasis on the confidentiality provisions.

3. For each report of a violation, the secretary checks whether there are potential conflicts of interest among the actors acting within this procedure. All parties may declare a potential conflict of interest in writing. This should be done as soon as possible after they have notified or received notification of the complaint and the identification of the actors in the procedure (as soon as known). In the event of a conflict of interest, each actor must automatically request not to be further involved in the handling of a the dossier. In the event of a possible conflict of interest on the part of the secretary or chair, these tasks will immediately be taken over by the designated substitutes. In the event of a possible conflict of interest, the rector is replaced by the deputy vice rector. Members for whom a conflict of interest is identified are excluded from further processing of the dossier. If necessary, the chair appoints a new member. The following are automatically considered as conflicts of interest: being the spouse or legal partner of the reporter or data subject, or living with the reporter or data subject; are related by blood or marriage to the reporter or the person concerned up to the second degree; belong to the department or research group of the reporter or person involved.

4. The investigation by the investigation committee of the CWI is conducted confidentially. The parties are expected to respect the confidentiality provisions. The parties may not confirm to others that investigations are ongoing, nor make any statements about the content of files and the course of the proceedings. All information regarding the report, distributed to the parties throughout the proceedings, whether written or oral, will remain confidential. If the parties request advice from third parties during the procedure, they are responsible for maintaining confidentiality by these third parties. Exceptions to the confidentiality provisions must be requested by the parties and approved by the chair of the CWI. Any form of communication during the procedure is the exclusive responsibility of the rector (after the notification and before the committee's final advice) and always after consultation with the CWI chair.

6. Failure to respect the confidentiality of the procedure by the reporter and the person involved is regarded as seriously problematic behaviour within the meaning of this procedure (see Article 4 §8 below).

7. By submitting his report, the reporter accepts the confidential nature of the procedure. In principle, the name of the reporter will not be disclosed to the person concerned, except in cases where the reporter agrees or in which the investigation committee determines that communicating the name of the reporter to the person involved is necessary in order to conduct the investigation in an adequate manner. In the latter case, the reporter will be informed about this.

8. When the investigation committee obtains information that requires immediate action, for example for health or safety reasons; if criminal offenses are established, this information must be immediately passed on by the chairperson to the rector, who will inform the competent persons and/or authorities on the advice of the CWI.

9. In the event that other organizations are involved, such as funders, sponsors, or collaborating partner, the CWI investigation committee will make written agreements prior to the start of the procedure in order to facilitate cooperation so that the dossier can be handled correctly. The provisions on safeguarding confidentiality and the rights of defence as formulated in these regulations remain guaranteed within this collaboration. For information about the concrete agreements with external partner institutions, the reporter and the person involved can always contact the chair.

TITLE 4. PHASES CWI PROCEDURE

Article 1 – Phase 1: notification

§1. Anyone who has questions about the CWI procedure can obtain advice and information from the chairperson of the CWI without having to immediately make a formal report. This is done by e-mail: Mpcwi@vub.be or by post: Scientific Integrity Committee; Research & Data Management Department; Pleinlaan 2; 1050 Brussels.

§2. All persons associated with the VUB have a moral obligation to report any violation or alleged violation of scientific integrity to the CWI.

§3. Anyone can report an alleged breach of scientific integrity to the secretariat of the committee. This is done by e-mail: Mpcwi@vub.be or by post: Scientific Integrity Committee; Research & Data Management Department; Pleinlaan 2; 1050 Brussels. Suspected violations of scientific integrity by students are reported to the Faculty Examination Board.

§4. Faculties may organize systematic plagiarism checks by researchers. In consultation with the CWI, the faculties must draw up the procedure for these checks and the parameters for their assessment. If such checks identify suspected plagiarism, the CWI should be contacted. The faculties must regularly submit an overview of the results of the audit to the CWI.

§5. The report of a violation contains at a minimum the identity of the reporter, the date or the period of the alleged facts and all elements in support of the report, such as the factual description and motivation of the objections invoked. The notification must be formulated clearly enough.

§6. The inquiry committee can always initiate proceedings itself, with or without specific notification, if it should encounter an (additional) breach of scientific integrity in the course of its activities. In this case, it is also the secretary, with mandatory advice from the CWI chair, who decides on the admissibility of the (additional) report.

§7. The reporter can request that his or her identity remains protected. This choice must be motivated by the reporter (e.g. in the case of a hierarchical relationship with the data subject). In this case, the identity of the reporter is only known to the secretary and chairman (at the time of the report) and later also to the rector (at the time of the final recommendation). The committee conducts the

investigation on the basis of a file from which references to the reporter have been removed. Documents that cannot be included in the file for reasons of identity protection will not be used in the investigation.

§8. If a reporter experiences negative consequences as a result of a submitted report, he or she can contact the relevant ombudsperson. The ombudsperson may – only at the express request of the reporter – inform the chair of the CWI of negative consequences that arise during the investigation of the CWI.

§9. Completely anonymous reports are in principle not admissible, but if the seriousness of the alleged infringement so requires, and if the report forms a sufficiently clear basis for an investigation, the chairman can start an investigation.

Article 2 – Phase 2: admissibility investigation

§1. After having consultation with the chairman of the CWI, the secretary decides *prima facie* whether the report falls within the competence of the CWI and within the scope as described in Title II point 2. It is also checked whether the complaint is reasonable and sufficiently substantiated, and whether the formal conditions stated in Article 1 §5 have been met. If one of the above requirements is not met, the report will be referred to the competent committee or body, or excluded from further processing by the CWI.

§2. If the file is declared inadmissible, the reporter will be informed of the decision via a termination report from the chairman. If the report falls under the authority of another authority, the reporter will be referred to the relevant authority. The person concerned is not notified.

§3. The chair, if necessary in consultation with the members of the investigation committee, can at any time in the procedure propose to the rector to take provisional measures with regard to all parties involved to reduce further risk for the reporter, the person concerned, the institution, third parties, animals, material, the environment, e.g. for health or safety; when criminal offenses are established; or as necessary to ensure the integrity of the investigation. These measures do not pass judgment on the merits of the case. The chair may, on the advice of the members of the inquiry committee, change this decision at any time during the proceedings if they consider that there has been a change in any risk. In this case, confidentiality is lost and the information must be immediately passed on to the authorized persons and/or authorities via the rector.

§4. In the event of an admissible report in which, without further investigation, it appears that the scientific integrity of the person concerned is in no way compromised, the chair determines that the report is manifestly unfounded. In this case, no investigation will be started. The secretary informs the reporter of the manifestly unfounded character of the report. The person concerned is not informed.

§5. If the file is admissible and not manifestly unfounded, the CWI will proceed to phase 3, the preliminary investigation.

Article 3 – Phase 3: preliminary investigation

§1. If the chair deems this necessary, she can hold exploratory talks with relevant parties, for example with the reporter(s), if she believes that this can offer added value for the proper understanding of the report and the context in which the complaint arose. The chairman can also request additional supporting documents to further interpret a report.

If it is clear from the preliminary investigation that the file concerns minor misconduct, the chairman may propose corrective measures. Both the reporting person and the permanent members of the Commission must agree to this proposal.

§2. The secretary notifies the person concerned by e-mail that a report has been submitted (report to the person concerned). The content of the notification is described as accurately as possible. All documents supplied up to that point are included, insofar as the possible protection of the identity of the reporter allows this. The person concerned will be informed of the procedure that will be followed. The person concerned is given the opportunity to respond to the report and can provide supporting documents. The person concerned will be given a maximum period of 10 working days after receipt of the email from the secretary of the CWI. If the exceptional nature of the situation so requires, this term may be extended, subject to the consent of the chair.

In case of minor misconduct, the corrective measures are also presented to the data subject. If the data subject does not agree with the corrective measures, a full investigation will be carried out.

§3. Repeatedly not responding to emails or other contacts from the secretary and chair by the person concerned can be regarded as (major) misconduct, unless the person concerned gives a reasoned explanation.

§4. The chair, in consultation with the secretary and the legal-academic expert, composes a committee of inquiry that consists of:

1. The President
2. The secretary
3. The legal academic expert
4. At least two of the permanent members of uninvolved faculties
5. A legal advisor from RD, with an advisory vote
6. If required by the dossier: one or more ad hoc members who have the same status as standing committee members during the handling of the file
7. If the file so requires: two or more internal or external experts with sufficient expertise in relevant fields or other relevant expertise, who are sufficiently independent. These experts do not have the right to vote, but may provide written or oral advice to the investigation committee. Such advice shall be included in the committee's reports.

§5. The chair communicates with the investigation committee through the secretary.

§6. The secretary draws up an investigation report. In the investigation report, the secretary will bundle all submitted documents. This report contains the report and the documents submitted by the reporter and the person concerned, insofar as anonymity permits, possibly supplemented with the findings made by the investigation committee. This report is, after approval by the chairman, delivered to the reporter and the person concerned by e-mail, within a reasonable period of time after receipt of the documents from the person involved. This report is also sent to the members of the inquiry committee. The report also contains the Regulations and the CWI Procedure, and the reporter, the person concerned and other parties are expressly requested to take cognizance of these documents.

§7. The investigation report also identifies the members of the investigation committee. If the reporter or the person concerned wishes to challenge the composition of the investigation committee, they must do so within 10 working days of receipt of the investigation report.

§8. The procedure cannot be stopped once the investigation report has been sent out.

§9. If necessary, the chair - in consultation with the rector - can inform the dean(s) of the faculty(s) to which the reporter and/or person involved belongs about the report. In that case, the information is limited to the identity of the reporter and/or the person involved (insofar as the reporter has not requested protection of identity) and the notification that an investigation has been started. No information is exchanged about the course of the procedure. This notification is made on a strictly confidential basis.

§10. If relevant, the chair informs other involved institutions (e.g. financing institutions, involved universities, etc.) of the notification. The identity of the reporter is not disclosed.

Article 4 – Phase 4: main investigation

§1. After the investigation report has been submitted to the reporter and the person involved, the investigation committee will hold an initial meeting, which will further investigate the report. The meeting on the merits determines the conditions and the date for the hearing.

§2. The hearing shall be held within a reasonable time after the initial meeting.

§3. The reporter and the person concerned are expected to prioritize the hearing in their agendas. Requests to postpone or reschedule the hearing will initially only be accepted in the event of serious and unforeseen obstacles to participation in the hearing. Failure to attend a hearing without good reason may be considered (serious) misconduct by the investigation committee.

§4. The reporter and the person involved are heard independently of each other by the members of the investigation committee.

§5. The parties must be present in person at the hearing. They cannot be represented by a social worker, trade union representative or lawyer, although this person can accompany them, for example at the hearing as an advisor (see 'Definitions'). The reporter is normally the first to be heard.

§6. Both the reporter and the person concerned can make proposals to request certain information and/or to consult specific persons in the context of the file. It is the members of the Investigation Committee who determine whether these persons will be heard. The members of the Investigation Committee, after deliberation and based on the judgment of the entire Investigation Committee, determine whether further investigation is necessary and may also call additional witnesses and/or experts for the hearing if they believe that these persons can contribute to the handling of the file. The Secretary prepares an interim report on such decisions and submits it to the Rector. As soon as these parties participate in the hearing, they are expected to respect the principles of the procedure, including confidentiality. Non-compliance with the regulations by these parties can also be regarded as (major) misconduct.

§7. After all discussions have been completed and the necessary investigative actions have been taken, the secretary draws up a provisional follow-up report, after deliberation and based on the judgment of the full investigation committee, which makes a decision on the facts. The preliminary follow-up report contains a reasoned opinion on the occurrence of the alleged infringement, but does not

propose any remedy or sanctions. The preliminary determination report is submitted for approval to the chairman and other committee members.

§8. The preliminary determination report makes one of the following decisions:

1. Declaration of non-problematic behavior if the committee of inquiry finds no violations of scientific integrity;
2. Statement of minor misconduct if the Investigation Committee identifies problems that could possibly be remedied under the supervision of the chair of the CWI;
3. Statement of major misconduct if the committee identifies problems that may lead to sanctions and/or other mandatory measures;
4. If the committee is unable to decide on the basis of the report, a reasoned statement of termination of the report may exceptionally be issued, and the CWI investigation will be pronounced as being concluded without result.

§9. The person concerned and the reporter have a maximum period of 7 working days after receipt of the preliminary follow-up report to formulate a written answer to the investigation committee if necessary. On that basis, the investigation committee may decide to revise the report. A revised version of the report is drawn up by the secretary, after deliberation and based on the judgment of the full investigation committee, and forwarded to the reporter and the person involved. If the reporter and/or the person involved object to the revised version of the report, the CWI procedure from Article 4 §1 will be repeated. The reporter or the person concerned can only invoke this right to an answer once.

§10. The chairman draws up a final report together with the secretary. Depending on the decision, the final report will include:

1. In the case of a statement of non-problematic behaviour: a motivated explanation for the explanation of non-problematic behaviour;
2. In the case of a statement of minor misconduct: a justification for the statement and a proposal for appropriate remediation with a term within which the remediation must be performed, and possibly with parties that must be involved in the remediation;
3. In case of a statement of major misconduct: a reasoned decision to establish serious problematic behavior and a follow-up advice to the rector;
4. In the event of a statement of termination of the CWI investigation without result: a substantiated explanation for the statement.

§11. The final report will be sent to the investigation committee for approval. A copy of the approved report is then sent to the person concerned and the reporter, who can no longer exercise the right of reply at this stage. A copy is also sent to the rector, and possibly to other interested parties. The investigation committee may, in consultation with the chairperson, add additional recommendations to the person concerned, the reporter, or other parties to the decision.

§12. The secretary informs the Flemish Committee for Scientific Integrity of the final statement of the CWI.

Article 5 – phase 5: follow-up at the level of the CWI

In the event of a declaration of minor misconduct, the chair will draw up a proposal for a remedy in accordance with Article 4 10, stating the period within which this must be carried out, possibly stating other parties that must be involved in the remedy. The chair follows up on this remedy with the person concerned and the other parties. If the chair is of the opinion that the remedy has not been sufficiently complied with, a statement of major misconduct will be made, in consultation with the investigation committee. This will be forwarded to the Rector.

Article 6 – phase 6: follow up at the level of the rector

§1. If major misconduct is identified, the statement is sent to the rector for further processing of the file.

§2. The rector decides - if necessary in consultation with the chair of the CWI and the dean of the faculty to which the person concerned belongs - about the expediency of the following steps outside the framework of the CWI Procedure, such as starting disciplinary proceedings in accordance with the applicable procedures or initiate legal proceedings against the data subject.

§3. The rector informs the chair about the steps that have been taken to follow up the declaration of major misconduct.

TITLE 5. FINAL PROVISIONS

§1. All documents that a commission of inquiry collects and/or draws up in the context of its investigation of a report, other than the motivated statements referred to in these regulations, are treated as strictly confidential and are not disclosed to persons other than the rector, the chair of the CWI, the secretary, the members and any advisers of the investigation committee involved in handling the report.

§2. The chair of the CWI and the secretary provide the vice rector with an anonymous overview of the reports and the progress of the current procedures, taking into account the confidentiality of their handling.

§3. If the university is obliged to make a public statement about a file, the rector or a person delegated by the rector will be informed of the content of the notification and the status of its handling.

§4. If the VUB is obliged to respond publicly in connection with a report relating to research in which external funders are involved, this will take place in consultation with the relevant external funder, who will be informed of the report if necessary, and the status of the investigation.