

SCIENTIFIC OMBUDSMAN

- The Ombudsman is independent of the Management of the Institute. The Ombudsman knows the institute's environment, scientific environment including institutional procedures.
- The Ombudsman is impartial and maintains a strict confidentiality.
- Every employee could enquire the Ombudsman about Good scientific practice (GSP) advice or mediation.
- The Ombudsman proceeds in accordance with the rules set out in ALLEA 'The European Code of Conduct for Research Integrity'.
- The Ombudsman is concerned with the area of scientific integrity, including specific cases of conflict in the scientific field. The Ombudsman's main task is to mediate confidentially remediable misconduct. Remediable misconduct includes practices that are not GSP compliant but which can be corrected. Such practices include authorship, discrepancy in data use, conflicts resulting from poor mentoring of both undergraduate and doctoral students.
- The Ombudsman handles complaints about misconduct or violations of GSP rules. She/he shall hear the whistleblower, determines whether there has been a violation of the GSP rules (by discussion or written word), and recommends the most appropriate corrective action. The confidentiality of the whistleblower's consultation with the Ombudsman ensures that the whistleblower is protected from negative consequences.
- The Ombudsman's recommendations are not binding. The Ombudsman's aim is to promote GSP, prevent BSP or to correct bad behaviour. The Ombudsman, however, reserves the right to refer the case to the Committee for scientific work ethics or the Director of the Institute when necessary.
- Ombudsman may seek the advice of another person in cases where it is important for the Ombudsman to assess the request correctly. However, always only after obtaining consent of the whistleblower of the request. For example, the other side of the conflict may need to be contacted.
- The Ombudsman's aim is to reach an agreement or resolve the conflict as quickly as possible. The length of the procedure depends on the supporting documents provided and the willingness of the parties to cooperate. There is therefore no maximum time limit for the procedure.
- If the conflict stems from the content controversy, the Ombudsman cannot judge it. Scientific inconsistencies are addressed to the Committee for scientific ethics (KEVP). The Ombudsman will forward the matter to KEVP.
- The Ombudsman does not deal with the irreparable cases of data plagiarism, falsification and fabrication. Such serious scientific misconduct must be reported immediately to the director of ÚFCH JH.
- If the matter is being brought to a lawsuit or it is foreseeable that either party would like to settle the matter in the court of law, the Ombudsman will not be involved. The Ombudsman does not provide legal advice.
- In the event of conflicts that have already been the subject of a lawsuit, there is a risk that information from the Ombudsman's mediation may be used in court for the benefit of one of the parties. The Ombudsman is impartial and confidential. It is therefore impossible to conduct Ombudsman proceedings in parallel with legal proceedings on the same subject or in a matter closely related to the subject. If the

Ombudsman resolves a dispute and one of the parties calls for a lawyer, the Ombudsman shall stop the proceedings.

How to contact the Ombudsman

- Contact the Ombudsman in person or by email. Briefly describe the issue. Sometimes it is useful to supply all relevant documents.
- Anonymous complaints are acceptable, but not always can lead to successful resolution of the issue.

How does the Ombuds procedure work?

- After informing the Ombudsman, he/she will decide whether the issue is within the Ombudsman competence and possibly provides advice on the further steps needed. The whistleblower can be asked to supply additional documents or information. The other side of the issue can be asked for a statement. In the case of differences, the Ombudsman will request additional information or documents. The communication is usually recorded in writing in this phase. After getting sufficient information, the Ombudsman issues a recommendation according to GSP.
- The final decisions or recommendations can be issued only after hearing both sides. The Ombudsman acts always impartially. However, the Ombudsman can be contacted even if the whistleblower does not agree with contacting the other side.

The following documents were used to formulate these criteria:

<https://ombudsman-fuer-die-wissenschaft.de/4174/faq-frequently-asked-questions/?lang=en>

The European Charter for Researchers, © European Communities, 2005; ISBN 92-894-9311-9;

Guidance on Authorship in Scientific Publications. ÚFCH JH AV ČR, v.v.i; 2019

<https://www.avcr.cz/cs/o-nas/pravni-predpisy/eticky-kodex-vyzkumnych-pracovniku-v-av-cr/>

The European Code of Conduct for Research Integrity, © ALLEA, 2017

This document was prepared as a part of the ‘Rozvoj kapacit ÚFCH JH, v. v. i. pro výzkum a vývoj’ project (contract No. CZ.02.2.69/0.0/0.0/16_028/0006251), funded by the MEYS and the EU – European Structural and Investment Funds in Operational Programme Research, Development and Education.