

Case of Research Integrity

2021

Hindering a PhD trajectory and using other people's data - unfounded

Erasmus University Rotterdam

1 Subject of the complaint

Impeding the execution of the research activities and thus hindering the PhD trajectory and using other people's data to write a scientific publication

2 Description of facts

2.1 Remit

The Executive Board of [institution], The Netherlands, decided to establish a [Committee] with effect from [date]. The Committee was established to investigate a complaint regarding possible violation of research integrity by [Defendant]. The complaint, submitted by [Complainant], was submitted to [institutions] Legal Protection Facility on [date]. The Legal Protection Facility has forwarded the report to the Dean of [institution]. The Committee was established to follow up on the notification by e-mail of a possible violation of scientific integrity in the period [years]. The complaints from this period were assessed on the basis of the Netherlands Code of Conduct for Scientific Integrity 2018 and relate to:

- Impeding the execution of the research activities and thus hindering the PhD trajectory
- Using other people's data to write a scientific publication

The Committee was requested to investigate the complaints referred to above and to assess the extent to which there is a violation of scientific integrity.

2.2 Background and complaint

On [date], the Dean of [institution] received a notification from [institution] regarding a request for help with the completion of a PhD program with accompanying documents. Because a possible violation of scientific integrity was reported here, the Dean requested advice from the Confidential Counselor for Research Integrity on [date] and received it on [date]. Additional information was requested from the archives of the secretary for Research Integrity and received on [date]. Advice was again requested by the Dean, this time for legal affairs, on [date] and received on [date]. Due to the nature of the notification, a mediation process on part of the notification was first deployed. On [date], the department concerned indicated that mediation was of no use. On [date], the Complainant submitted the report as an official complaint to the secretary for Research Integrity. Ultimately, on [date], the complaint was declared admissible by the Committee and instituted in the above composition by the Executive Board.

2.3 Procedure

The Committee has worked in accordance with the [institution] Complaints Procedure of March 2018. The applicable code of conduct for the investigated research period is the Netherlands Code of Conduct for

Scientific Integrity (from October 2018). The Committee met on [date], at which it was decided to deal with the complaint in writing as much as possible due to the Covid situation. At the request of the Complainant, the interview with the Complainant did take place physically on [date]. A written summary of this interview was prepared by the Committee, with the idea of giving the Defendant the opportunity to provide a written response to this. The summary was submitted to the Complainant for approval on [date]. The Complainant indicated on [date] that there were inaccuracies in this summary and provided a written supplement to the summary on [date]. This summary, together with additional questions from the Committee, was submitted to the Defendant on [date]. The Committee also asked the Defendant to provide insight into the communication that has taken place on the subject of the complaint and what possible expectations may or may not be made in this regard. This response was received on [date]. On [date], the Committee met again to discuss the response received.

A draft version of the report was submitted to the Complainant and the Defendant with the request to respond to any factual inaccuracies. The answers of both have been added as an appendix to this report.

2.4 The Complainant's position, in summary

The Complainant started in [year] as a PhD student at [department]. The Complainant states that the Defendant has denied him access to his workplace since [date]. Complainant states that Defendant has indicated via email on that date that he will punish Complainant if Complainant is unable to write an article that can be published in a scientific journal. According to the Complainant, the Defendant is difficult to reach and accessible for guidance and this causes his PhD trajectory to be delayed too much. As an example, he shows a series of e-mails between [date] and [date] in which he asks for feedback each time for an article he is working on, but on which there is no feedback. The Complainant says that he has the impression that the department is intent on not allowing him to get his doctorate degree. If the Complainant informs the Defendant of his delay, the Defendant says, according to the Complainant, 'that he should think about it for a few months'. The Complainant says that the Defendant blackmailed him and then stopped his PhD trajectory. As evidence, the Complainant provides a copy of a letter from the Defendant dated [date].

The Complainant states that the Defendant wrongly wrote a manuscript containing the Complainant's results and data, and that the Defendant subsequently wanted to force him to submit this manuscript for publication. The Complainant says that the Defendant did put him as first author, but the manuscript was rejected 5 times by a scientific journal. According to the Complainant, this is because the manuscript contains far too many errors. The Defendant has refused to adapt the manuscript to the Complainant's suggestions. According to the Complainant, the Defendant is simply not familiar enough with the data to write it down properly.

2.5 Defendants' position, summarized

The Defendant states that the Complainant has had the opportunity since [year] to write a manuscript based on his results. The Defendant initially linked the Complainant to a co-supervisor to supervise him. In the spring of [year], this then supervisor of the Complainant indicated that the Complainant could no longer be supervised by him. Defendant then took up that duty. The Complainant and the Defendant then, according to the Defendant, agreed to work on a manuscript together. In the fall of [year], however, there was still nothing on paper. According to the Defendant, this was partly because the Complainant displayed evasive behaviour, for example by carrying out extra (unnecessary) experiments, following useless courses and spending a lot of time in the coffee room. Defendant's response to this was to temporarily deny Complainant access to the lab in order to force him to give his full attention to the writing. In addition, the Defendant assigned the Complainant a 'mentor extraordinaire' who could intensively guide him in writing between [date] and [date]. This was recorded in a letter to the Complainant dated [date]. According

to the Defendant, the Complainant was welcome at the department to discuss his progress with his mentor, co-supervisor and Defendant. Defendant states that punishment has never been discussed, this is a misrepresentation of the e-mail.

The Defendant thinks it very unfair that the Complainant claims that the department is intent on not allowing him to obtain his doctorate degree. The Defendant, he says, has given the Complainant the opportunity to obtain his doctorate, despite negative advice from others. The Defendant nevertheless allowed the Complainant to stay on, even when a previous agreement that had been made was violated, namely not following through with a complaint against the department where the Complainant previously worked. Defendant says that much of the Complainant's behavior was condoned in order to help him: disrespectful emails, failure to follow the [institution]'s Corona policy, submitting manuscripts without the explicit permission of the Defendant, etc. According to the Defendant, this would also be apparent from the Letter of [date] submitted to the Complainant.

The Defendant believes that he was indeed less frequently available to the Complainant due to circumstances. This, according to the Defendant, is due to several reasons. In the spring of [year], the number of contact moments decreased due to the Corona pandemic, but also due to the stagnation in the opinions about the quality of the manuscript. The weekly meetings had stopped, and the email traffic decreased because the Complainant did not listen to the feedback from the mentor and the Defendant. In order to break through this, the Defendant says, he agreed that the Complainant submitted a manuscript to [Journal], to let the Complainant experience that the journal would not consider his manuscript version. However, this did not have the intended result, says the Defendant. The Complainant remained convinced of the quality of his own work and the Defendant no longer wanted [institution] to be listed on these submissions. Slowly, according to the Defendant, the discussion became meaningless and the contact thus became minimal. It is, however, the Defendant says, not because of the low frequency of interaction that his PhD trajectory has been delayed, but because of his inability to produce a decent manuscript.

Defendant says that in [month, year] it became clear that other research groups were submitting manuscripts with similar results. In order to help the Complainant to set a good example for future manuscripts and to give the Complainant the opportunity to obtain a high-impact publication, the Defendant says, the Defendant then wrote a version of the manuscript and instructed the Complainant to thoroughly inspect the manuscript for accuracy.

3 Findings, considerations and advice of the Research Integrity Committee

3.1 Impeding the execution of the research activities and thus hindering the PhD trajectory

The Complainant states that he has been hindered in his PhD trajectory by being denied access to his workplace and the lack of accessibility of his supervisor and supervisors. In support of this assertion, the Complainant sends a letter from the Defendant, dated [date], to the Complainant to the Committee, which should show that he has been wrongly denied access. The Defendant alleges that this was justified, because he wanted the Complainant to only engage in writing.

The Committee follows the Defendant's reasoning in this regard. It appears from the letter that the denial is temporary and that this was precisely to make progress, namely converting existing results into a publication. The Committee is of the opinion that being able to independently write a manuscript is one of the conditions for a doctorate and sees no threat of punishment in the correspondence submitted, but an incentive to learn. The Committee therefore considers this part of the complaint to be unfounded.

The Complainant states that he was hindered in his PhD trajectory by the poor accessibility of the supervisor and other supervisors. The Defendant himself says that this may be true, but it was partly due to the Complainant's failure to listen to feedback, which made discussion useless. The Complainant believes that his PhD trajectory has been wrongly terminated and sends a letter from the Defendant in support of this complaint, dated [date]. The Defendant states that this letter was drawn up after repeated warnings to the Complainant that he cannot submit a manuscript without the permission of all authors and that he is not adhering to the Covid measures.

According to the Committee, the e-mails submitted by the Complainant are insufficient proof that the Defendant was not reachable, since it is unclear whether these e-mails were answered. The Committee is of the opinion that the Complainant cannot demonstrate that this has led to an impediment to the work. The Complainant does not indicate in the emails that he cannot continue without a response. The content of the Complainant's emails also gives the impression that answers were given in between. The Committee does not see any indications in the letter of [date] that the PhD trajectory has been terminated unjustly. Additional emails provided by the Defendant provide a clear picture of the warnings given to the Complainant to modify and improve his behavior. Even after the program was discontinued, the Defendant still made every effort to offer a PhD program to the Complainant. The Complainant rejected this offer. The Committee therefore also considers this part of the complaint to be unfounded.

3.2 Using other people's data to write a scientific publication

The Complainant argues that the Defendant has wrongly written a manuscript containing the Complainant's data and results. The Defendant says that he did indeed write a version of the manuscript to help the Complainant well on his way.

The Committee has examined both the manuscripts of the Defendant and Complainant. These are so different from each other that in the opinion of the Committee there are two independent manuscripts based on the same data. However, this data in itself is the property of the research group as a whole (and ultimately the [institution]), of which both the Complainant and the Defendant were a part. It is therefore not unusual for a supervisor, which is the Defendant in this case, to make a significant contribution to the writing or drafting of a manuscript based on data from the research group, especially if this is the first manuscript in which the Complainant is the first author. Writing a complete manuscript may be unusual, but according to the Committee, it cannot be regarded as a violation of research integrity, especially since the Defendant asked the Complainant to complete the manuscript and to make changes or improvements. The Committee is of the opinion that in this case there can be no question of using other people's data, but that there is more of a difference of opinion about content and quality. The Committee therefore also considers this part of the complaint to be unfounded.

3.3 The Committee's other considerations

The Committee doubted whether this complaint should be dealt with by a Research Integrity Committee. It was clear from the start that this was a seriously disturbed relationship. The Complainant initially asked for help in completing his PhD trajectory. After his request for help was not heard in his eyes, he eventually filed a complaint about those people who, in his eyes, have slowed down, disrupted and thwarted his PhD trajectory.

The Committee has serious questions and concerns about the observation that the Defendant has nevertheless included the Complainant in a PhD program despite warnings from other scientists at [institution] and other omens. Even when the intended co-promoter indicated that he was unable to provide guidance, the Complainant did not keep to the agreements with the promotor and mentor and was therefore suspended before, still an attempt was made to bring the process to an end. The Committee is of

the opinion that the Defendant caused problems by giving the Complainant so many opportunities, while the documentation shows that the Defendant himself was of the opinion that in any case the quality of the work and the Complainant's writing ability was not sufficient for obtaining a PhD.

In view of the above, the Committee concludes that there is no question of insufficient compliance with standards and principles as formulated in the Code of Conduct. In view of the foregoing, the Committee advises the Executive Board of the Erasmus MC to declare the complaint unfounded, in the sense that there is no violation of research integrity by the Defendants.

4 Initial decision of the Executive Board on October 5, 2021

The Executive Board follows the advice of the Committee and concludes the allegations are unfounded.

5 LOWI

The case was not submitted to the LOWI.

6 Final decision of the Executive Board on November 16, 2021

The (initial) decision of the Executive Board became the final decision on November 16, 2021.