

Casus Wetenschappelijke Integriteit

2023

Ten onrechte niet toekennen van auteurschap - ongegrond

Vrije Universiteit

1 Auteurschappen

De kern van de klacht betreft een vermoeden van schending van de wetenschappelijke integriteit. Klager stelt dat beklagde hem ten onrechte geen auteurschap op een publicatie heeft verleend.

2 Advies van de CWI (Engelstalig)

1. Procedure

1.1 Receipt and admissibility of the complaint

On 22 November 2022, the Executive Board of VU Amsterdam (hereafter: the EB) received a complaint from [...] (hereafter: the complainant), which was addressed to [...] (hereafter: the respondent). The complaint pertains to an alleged violation of academic integrity. Briefly summarised, the complainant alleges that the respondent has wrongly denied to include him as an author on a publication.

In accordance with current procedures, the EB immediately referred the complaint to the VU-VUmc Academic Integrity Committee (hereafter: the committee) to both assess its admissibility and examine any relevant evidence where necessary. The committee received the complaint on 23 November 2022.

On 24 November 2022, the committee informed both the complainant and the respondent of the receipt and admissibility of the complaint. In this correspondence, the committee stated that the Academic Integrity Complaints Procedure Vrije Universiteit Amsterdam April 2022 (hereafter: 'the Complaints Procedure') would apply to the remainder of the procedure. Both the complainant and the respondent received a copy of the complaint and Complaints Procedure.

1.2 Written round

The respondent was given the opportunity to provide a written response to the complaint made against him. On 8 December 2022, the respondent provided the committee with this rebuttal. The rebuttal was also shared with the complainant on 12 January 2023.

Because the complaint and the rebuttal did not raise any questions, the committee decided to handle the complaint solely based on the written round and to not organize any hearings.

The committee informed the complainant and defendant separately on 14 December 2022 that the committee did not deem hearings to be necessary and that it would begin writing the draft advisory report based on the findings of the written round.

1.3 Draft advisory report

On 12 January 2023, the committee submitted the draft advisory report to both the complainant and the respondent for correction of any potential factual inaccuracies. The responses were received from the complainant and the respondent on 22 January 2023.

The parties deemed it necessary to submit corrections to the advisory report. The committee made one correction submitted by the respondent, concerning the date that the manuscript was presented to the journal. The committee did not see reason to make other corrections.

2. Positions of the parties

2.1 The complaint

2.1.1 The complainant states that he should be listed as an author of the publication [...], on the grounds that he contributed to the publication in a meaningful way. To this end, he argues the following.

2.1.2 The background knowledge and intellectual property of [...] are based on the complainant's ideas and were developed under his supervision. This is evident from prior publications and patent applications.

2.1.3 Therefore, according to the complainant, the studies investigating the influence of the tested [...] are based on his work and that of his employees. In line with this, the complainant conceived the idea of testing the effects of [...] The complainant also carried out the necessary work to enable the production of the logs.

2.1.4 In November 2017, the complainant made the first appointment with [the faculty] to discuss the principles for a clinical study. Subsequent to this, he was actively involved in the design of the study. In February 2018, an agreement that included the study protocol was concluded between [the faculty], his subordinate and himself on behalf of the company that employed him at the time. The complainant thus made a meaningful contribution to the study protocol. After this he continued to be involved in the interpretation of the research data.

2.1.5 In June 2020, the complainant enquired with the research leader about the status of the publication, and offered his assistance. In June 2021, he requested to be involved in the publication. According to the complainant, the research leader and two participating colleagues from his former employer took the position that he should be named as an author, but his former employer disagreed with this. He was therefore not mentioned as an author on the publication.

2.1.6 The complainant invokes the Guidelines for Safeguarding Good Research Practice of the German Research Foundation of April 2022 and states that he meets the requirements for authorship described there.

2.2 The rebuttal

2.2.1 The respondent posits that the complainant informed him and his colleagues in an email dated 6 February 2019 that he was leaving the company that [the faculty] was cooperating with on the study. He attaches this email to his rebuttal. There is no indication in this email that the complainant wished to remain involved in possible future phases of the studies. Instead, the complainant stated that he was transferring both his projects and other responsibilities to colleagues within the company. This was confirmed by the company.

2.2.2 In November 2020, a draft of the publication was shared with all authors as agreed upon in October 2019. In November 2021, the manuscript was presented to the journal after several rounds of editing.

2.2.3 The respondent invokes the guidelines of the International Committee of Medical Journal Editors (ICMJE) with regard to authorship. From the perspective of these guidelines, the complainant only meets the first criterion of that directive, as he was no longer involved at any stage after his departure from the company in March 2019. Therefore, he cannot be regarded as an author.

3. Assessment of the committee

3.1 The complainant invokes the Guidelines for Safeguarding Good Research Practice of the German Research Foundation. The publication appeared in the journal [...]. The publisher of this journal adheres to the guidelines of the ICMJE (hereafter: the guidelines). Therefore, these guidelines apply to this publication.

3.2 According to the guidelines, in order to be considered as an author, a scientist must meet the following criteria:

- Have made substantial contributions to the conception or design of the work; or the acquisition, analysis, or interpretation of the data for the work; AND
- Have drafted the work or revised it critically for important intellectual content; AND
- Have given final approval over the version to be published; AND
- Have agreed to be accountable for all aspects of the work, namely in terms of ensuring that any questions related to the accuracy or integrity of any part of the work are appropriately investigated and resolved.

3.3 With respect to the guidelines, the complainant only meets the first criterion.

3.4 According to the complainant, he requested to the leader of the study that he be involved in the publication. The leader of the study, together with two employees of the complainant's former employer, took the view that he should be mentioned as an author. If this request had been granted, the authors would have been in violation of the guidelines.

3.5 The guidelines prescribe that all individuals who meet the first criterion should have the opportunity to participate in the review, drafting and final approval of the manuscript. The complainant was not given that opportunity. However, it was wholly reasonable for the respondent to deduce from the complainant's email of 6 February 2019 that the complainant was no longer involved in the study. After all, in that email he states: "The transfer of my projects and responsibilities to colleagues within the company is ongoing."

4. Conclusion

The complaint is unfounded.

3 Aanvankelijk oordeel van het College van Bestuur

Besluit 14 februari 2023:

Het College van Bestuur besluit om het advies van de Commissie Wetenschappelijke Integriteit VU-VUmc (CWI) van 6 februari 2023 in de beoordeling van de klacht van [...] tegen [...] van 22 september 2022 in zijn geheel over te nemen. Dit betekent dat het College van Bestuur besloot de klacht ongegrond te verklaren.

4 LOWI

Er is geen LOWI-advies aangevraagd.