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IMPLEMENTATION

at the Vrije Universiteit Brussel of the

*EUROPEAN RECOMMENDATIONS
CONCERNING RESEARCHERS*

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EUROPEAN RECOMMENDATIONS CONCERNING RESEARCHERS*
ALREADY LARGELY IN OPERATION AT THE VRIJE UNIVERSITEIT BRUSSEL

* Commission Recommendations of 11 March 2005 on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers

The VUB wholeheartedly subscribes to the recommendations made by the Commission on 11 March concerning a charter for researchers and a code of conduct for their recruitment. Many of the proposals are already in operation at the university. Where this not the case, the necessary actions are being recorded in the new policy plan of the Research Board (2006-2011).

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The European Charter for Researchers: a brief overview

“The European Charter for Researchers is a set of general principles and requirements which specifies the roles, responsibilities and entitlements of researchers as well as of employers and/or funders of researchers.

The aim of the Charter is to ensure that the nature of the relationship between researchers and employers or funders is conducive to successful performance in generating, transferring, sharing and disseminating knowledge and technological development, and to the career development of researchers.

The Charter also recognises the value of all forms of mobility as a means for enhancing the professional development of researchers.

*In this sense, the Charter constitutes a framework for researchers, employers and funders which invites them to act responsibly and as professionals within their working environment, and to recognise each other as such.” **

*Quote from the European Charter

I. Various VUB rules already satisfy a good many of the recommendations, with regard to the individual researcher as well as the university:

a) General principles and requirements applicable to researchers

The first recommendation '*Research Freedom*' is an important principle at the VUB. The VUB is the only Flemish university to have recorded the principle of 'Free Research' in its statutes. This principle is based on a text by the French mathematical and natural philosopher Henri Poincaré (1854-1912) who said that:

*Thought must never be subordinated,
to any dogma,
to any political party,
to any passion,
to any interest,
to any preconceived idea,
nor indeed to anything,
except the facts themselves,
because to be subordinated would mean the end of all
thought.*

The Research Board (OZR) operates according to Poincaré's principle. Fundamental research is not controlled by the Research Board.

In the rules for Academic Personnel it is also stated that the members of the academic personnel enjoy the academic freedom in the exercise of their assignment and tasks. (article 10, AP rules)

Furthermore, the members of the academic personnel have the right to freedom of expression with regard to the facts they possess by reason of their position. (Article 11, paragraph 1, AP rules)

The next recommendation concerning '*Ethical principles*' is also already endorsed by the VUB.

The advice of ethical committees is required when applying for funding of Research Projects. In Belgium each university is legally required to have ethical committees. These committees handle all project applications that fall within their jurisdiction (e.g. experiments on humans, on human material or animal testing) regardless of the funding channel. Funding is only granted after the file has been approved by the relevant ethical committee.

At the VUB there is also a procedure within the context of ethics and deontology for the handling of suspicions of scientific misconduct. Definitions of scientific misconduct differ in detail and terminology depending on their function as the basis for complaints procedures or for prevention. In 2001 procedures were prepared by the Research Board, in collaboration with the Personnel Service, for the handling of suspicions of scientific misconduct (approved on 19 February 2002 and incorporated in the "*VUB rules governing the Academic personnel and holders of research grants*", hereafter referred to as the "AP rules"). It is clearly stated that it is *not* the intention that complaints should become easier to file. But there *is* a proviso that when cases do occur, there is a procedure in place to deal with them. (This procedure can also actually lead to a rectification as a result of the spreading of false rumours, whether or not they were started on the request of the persons who were themselves the subject of suspicion.)

'Professional responsibility' is one of the next recommendations. This concerns the possible relevance of research to society, in particular that researchers must aspire towards this. (see also: II. "Some reservations"). In addition, this recommendation points first and foremost to the avoidance of plagiarism, and abiding by the principles of intellectual property and joint data ownership in the case of research carried out in collaboration with a supervisor(s) and/or other researchers.

In the AP rules of the VUB it is already stated very clearly that members of the Academic Personnel are to refrain from any behaviour that damages the honour of the person or that causes the fulfilment of the VUB mission as determined in the Organic Statute to suffer (Art. 7).

The recommendation *'Professional attitude'* is twofold. In the first place researchers should be familiar with the strategic goals governing their research environment and funding mechanisms, and should seek all necessary approvals before starting their research or accessing the resources provided. Secondly, they should inform their employers, funders or supervisors when their research project is delayed, redefined or completed, or give notice if it is to be terminated earlier or suspended for whatever reason.

In Art. 9 of the AP rules it is stated that all members of the Academic Personnel are briefed on appointment about the structure and policy of the university.

Furthermore, the VUB also has a predefined 'profile of the good promoter' in which the responsibilities of a promoter/researcher are explained.

The next recommendation, *'Contractual and legal obligations'* declares that researchers must be familiar with the national, sectoral or institutional regulations governing training and/or working conditions (e.g. regulations concerning intellectual property rights). Once again the AP rules address this. More specifically there is mention in these rules in Art. 13 of the rights and duties of researchers with reference to capital rights, valorisation and such like. This is specified in more detail in the VUB valorisation rules.

The *'Accountability'* recommendation implies that researchers need to be aware that they are accountable towards their employers, funders or other related public or private bodies as well as, on more ethical grounds, towards society as a whole.

The VUB has an R&D database that is managed by the R&D department. For the allocation of new research projects by the Research Board a minimum of information must be entered in this database. This database is partly accessible to the public, and information from it is regularly supplied to the government (IWETO).

'Good practice in research' is a recommendation consisting of several different aspects. It talks about the researchers adopting safe working practices at all times, in line with national legislation, including taking the necessary precautions for health and safety and for recovery from information technology disasters, e.g. by preparing proper back-up strategies. They should also be familiar with the current national legal requirements regarding data protection and confidentiality protection requirements, and undertake the necessary steps to fulfil them at all times.

The internal health & safety department of the VUB has formulated various guidelines and recommendations for ensuring the wellbeing of employees in practical ways. These guidelines and recommendations are prepared analogous to Belgian legislation, more specifically, the "Wellbeing Law" and the Royal Decrees regarding the Wellbeing policy and the Health and Safety services.

The rules regarding data protection and confidentiality can be found in Art. 11 of the AP rules. In addition - where necessary and with an eye on the valorisation process - confidentiality agreements can be concluded.

'Dissemination, exploitation of results':

Both in the AP rules and the Valorisation rules it is stated that researchers have the right to make their valorisable research results public. They need to inform the university of their intention, and publication will still occur in accordance with the contingent agreements and/or rulings that are relevant to these results.

The researchers can be advised in this process by the Technology Transfer Interface (TTI) of the R&D department. The TTI services include the following: research contracts, patent and licensing matters, spin-off initiatives, incubator facilities and science parks, industrial network, etc.

The '*Public engagement*' recommendation can also be found at the VUB first of all within the R&D Unit Science Communication and secondly within the internal and external communication service.

The Science Communication R&D Unit promotes the supply of information on VUB research, both inside and outside the institution, and supports contacts for faculties as well as for individual researchers. The unit makes efforts to increase public support for science and technology, which is all to the benefit of research and teaching in the future.

The Internal & External Communications Service (IECO) systematically disseminates all information concerning teaching and research to the media.

Regarding the '*Relation with supervisors*' the following is quoted in the 'Central rules for the awarding of the academic degree of doctor' (Article 12):

"The promoter(s) is (are) obliged to supervise and stimulate the PhD student(s) in the preparation of the PhD thesis. The PhD student(s) is obliged to keep his/her promoter(s) regularly up to date on the progress of his/her PhD thesis."

In the '*Supervision and managerial duties*' recommendation there is mention of the role of the experienced researchers in supervising or mentoring the researchers in their training phase.

Starting from the level of head lecturer, one must develop in the area of research autonomously, alone or in collaboration with other ZAP members. Independent scientific output, independence in the achievement and management of research projects and autonomous promotership of doctorates are all valid as elements of scientific autonomy. One is also engaged in the scientific management of a university professional group and/or research group. (AP rules)

In 2003 the VUB worked out a complete and coherent package of measures regarding the supervision of PhD students. It concerns six parts, based partly on the policy proposals of the evaluation committee "*Getting your PhD at the VUB*" and partly worked out under the Research Board:

- 1: Review of Central VUB rules for the PhD;
- 2: Appointment and extension procedure for AAP and BAP (Appointment form for faculty & registration form for research);
- 3: Rules regarding 'Ombudsman/-woman for PhD students';
- 4: Reform of Research Board mandates;
- 5: Review of Grants for Researchers system;
- 6: Profile of a good promoter (& Minimum number of reports in VUB publications).

For the annual evaluation of individual PhD students, recommendations are obtained from the faculty Committees for PhD evaluation.

In order to evaluate the advancement of '*Continuing professional development*' in researchers, each member of the academic personnel has a teaching and research file. The AP rules outline how this must be presented. On the basis of this instrument it can then be ascertained via the relevant evaluation/assessment system which activities have extended and/or updated the knowledge and skills of an AP member in their area of expertise/research domain.

In the case of PhD students specifically the VUB keeps a note of the intra- and interuniversity supply of research-supporting activities (workshops, seminars and courses) and informs the PhD student(s), corresponding to the 'Central rules for the awarding of the degree of doctor' (Art. 17). The VUB itself also organises non-disciplinary related training in research-supporting skills. Moreover, there is also an annual event that invites the PhD student(s) to reflect on science and the place of the scientist within society.

b) General principles and requirements applicable to employers and funders

'Intellectual property rights:'

Employers and/or funders should ensure that researchers at all career stages reap the benefits of the exploitation (if any) of their R&D results through legal protection and, in particular, through appropriate protection of Intellectual Property Rights, including copyrights.

The way in which university knowledge is valorised at the VUB is laid down in the Valorisation rules that can be obtained from the Technology Transfer Interface of the R&D department.

"Invention disclosure": The university is the decreed owner of research results developed at the university. If you as a university researcher think that your scientific research can be valorised, in other words, that the knowledge developed by you can be turned into a product for which there is industrial/public interest and therefore a market, you need to contact the Interface unit of the R&D Department. There you can obtain the Form for Information on potential Valorisable Research Results, which you are required to fill in. This form provides the researcher and the TTI with all the data necessary to assess whether the valorisation potential is real.

Start of valorisation procedure: In discussion with the researcher(s) it is decided whether the research results can be valorised in collaboration with the TTI (and possibly with external consultancy agencies). If this is the case, the valorisation procedure is initiated after the Rectors College has approved the file.

Continuous evaluation: A continuous and critical evaluation of the possibilities for valorisation runs like a thread through the whole valorisation process. Regular discussion and optimal collaboration between the Interface unit and the researchers involved are therefore vital.

Incentives – personal remuneration: In accordance with the valorisation rules, the net sales from valorisation are divided equally (1/3rd-1/3rd-1/3rd) between the Contingency Fund (which funds the out-of-pocket expenses for valorisation files), the research group concerned and the researchers concerned. Researchers therefore also profit personally from valorisation of research.

'Non-discrimination' & 'Gender balance':

In this area we can point to the diversity forum of the VUB, and its diversity plan.

The VUB employs a dynamic, situational, interactional model for an integrated policy that prevents exclusion by means of dialogue. A situation of inequality is often situational and interactional, since it arises from the interaction of personal factors with environmental factors. The interaction of a personal characteristic, such as gender, with a teaching and working environment dominated by men and a working culture pre-eminently designed for men, leads to clear career differences between male and female academics.

The global picture as regards gender attitudes is less obviously negative for women at the VUB than in some other universities, but to a great extent the presence of women at the VUB follows a pattern that is also prevalent in other national and overseas universities. Half of the VUB students (52%) are women, but there is no corresponding 50-50 division amongst the academic personnel. The higher up the academic ladder we go, the fewer women there are. The work culture of a university in general and the growing workload of academic personnel in particular do not lead to an increase in the number of women.

According to overseas research regarding the position of women in universities, the establishment of visiting chairs to advance the appointment of women/foreigners, etc, in higher positions, is very effective. The establishment of a visiting chair in Diversity that can be occupied annually by different experts/representatives of the respective target groups should be a first phase in meeting these requirements.

(‘Diversity Action: 2005- 2006 Planning’, VUB Diversity Forum)

As far as salary is concerned, all PhD students at the VUB receive the same net income, regardless of their status.

The recommendations *'Co-authorship and Supervision'* are already translated at the VUB in a 'Profile of a good promoter'. As for supervision, the central rules for getting a PhD also state that the promoter is required to supervise the PhD student(s).

As regards the recommendation concerning '*Teaching*', the VUB rules regarding the academic personnel and holders of research grants already state that 60% of assistants' time must be kept free for research. The Research Board can also grant a 2-year extension after 4 years' of assistantship with a predoctoral mandate exempt from teaching.

Furthermore, with regard to this recommendation the VUB can also point to the teaching file that is a part of the researcher's academic file.

II. Some reservations

Some important reservations can be formulated with regard to some of the recommendations:

'Professional responsibility'

The EU document describes in very general terms a 'best practice' for researchers and their employers, and hereby leaves plenty of room for interpretation in one's own specific policy context. It is therefore important that the text is also read and interpreted with the same degree of openness. So, "researchers should make every effort to ensure that their research is relevant to society" should not be seen as a requirement for all research to be targeted at the public level. It is not possible to predict the relevance of fundamental research to society beforehand, and therefore this sort of research at the VUB is expressly not thematically controlled.

As regards scientific services to third parties the academic personnel have rights and duties. These rights and duties are included in the VUB rules governing the scientific service and the relations with other legal persons, approved by the Board of Directors on 28 March 1995.

These rights and duties imply, amongst other things, that no agreements for scientific service can be concluded with third parties without the prior consent of the Board. This further concerns rights and duties regarding the contracting parties, the content of the agreement, the publication and the use of research results, the valorisation, results commitments, the cost price, the appointment of personnel, etc.

III. Action points in the new policy plan

Action points have been adopted regarding a number of the recommendations by the Research Board. Notwithstanding the fact that in many areas the VUB already goes some way to meeting the 'best practice' specified in the EU charter, there is always room for improvement. In the coming years, the following themes will be broached:

- *Non-discrimination - language*: More rules should be available in English so that candidates can be sought more easily in the international forum, and so that non-Dutch researchers can be informed in the same way as other researchers.
- *Mobility (1)*: With an eye on good international networking and collaboration and the renewal of research, it should be possible to cite a mobility condition for an appointment as a full-time ZAP member.
- *Mobility (2)*: In order to be able to attract good researchers from industry, it should be possible to take account of relevant seniority or holiday entitlement for the academic career, if the case can be made.
- *Evaluation*: All vacancies for senior researchers should be internationally disseminated and evaluation should run more systematically via international screening.

IV. References

- VUB rules governing the Academic personnel and holders of research grants: <http://www.vub.ac.be/infovoor/toekomstigewerknemers/reglementen.html>
- Research Board rules (OZR): <http://rd-ir.vub.ac.be/index.php>
- Valorisation rules: <http://rd-ir.vub.ac.be/valorisatie/>
- Central rules for the awarding of the academic degree of doctor: <http://www.vub.ac.be/phd/>
- Complete text of the EU charter: [http://europa.eu.int/eracareers/pdf/C\(2005\)576%20EN.pdf](http://europa.eu.int/eracareers/pdf/C(2005)576%20EN.pdf)