

RWTH "CODE OF CONDUCT" FOR DEALING WITH THIRD PARTIES

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Preamble

Since its establishment, RWTH has strived to undertake research and teaching to the benefit of society at large. For this reason, one of the University's central goals is to make knowledge available and usable to society and the economy (hereinafter: "third parties"). Since its inception, RWTH has collaborated with business and industry in order to ensure the rapid transfer of knowledge into practice.

In order to provide orientation for RWTH members who deal with third parties, the present code of conduct summarizes the most important aspects of existing guidelines and principles of conduct¹.

Members of the University include academic and administrative staff and students at RWTH who are in contact with third parties. The code of conduct also applies to all those who are in contact with third parties on behalf of the University.

The principles of conduct outlined here complement general or subject-specific legal regulations and ethical norms. Each member of the University commits her- or himself to act in accordance with legal obligations and regulations and, in addition, to act responsibly and in accordance with ethical standards.

1 Ethical Principles of RWTH Aachen University²

1.1 At RWTH, the following standards apply:

The individual human being is at the center of our activities.

As a university, RWTH has certain responsibilities towards society. It aims at enhancing the dialogue between science and society, so that members of society are able to develop an informed attitude towards academic questions and progress in science.

¹ NRW Higher Education Act, RWTH Bylaws, RWTH Institutional Strategy, and others

² RWTH Institutional Strategy, RWTH Guidelines on Safeguarding Scientific Practice

RWTH is dedicated to peace; for this reason, our research and teaching serve peaceful purposes only.

Good science is characterized by competence, relevance, diversity, freedom, the will to success, dedication, honesty, transparency, and equal opportunities; our scientific staff stand for these values.

The appreciation of others, the willingness to cooperate, and open communication between all groups and units are important to us.

1.2 These values form the ethical basis for the actions of all members of our University.

1.3 RWTH expects of its partners in collaboration that they share the above named principles. They all abide by the law.

2. Dealing with Collaborative Partners⁴

2.1 The freedom of research and teaching and the independence of RWTH from the interests of third parties are to be maintained at all times to secure scientific autonomy.

2.2 In order to meet the University's responsibilities towards society, RWTH is obligated to publish its research results at the appropriate time and in an appropriate form (this applies in particular to publications made as part of doctoral projects). Third parties must agree to this principle in order to be eligible for cooperation with RWTH.

2.3 When entering into collaborative partnerships, it is imperative that the reputation of RWTH is preserved. At a general level, this means that the transparency of decisions must be secured.

2.4 For RWTH researchers, scientific care and accuracy in all fields of activity are of the utmost importance. These principles are adhered to when performing collaborative research and development projects.

2.5 RWTH also offers commercial research and development services.⁵ If these activities lead to intellectual property rights these are made available to the collaborative partners; however, the passing on of protective rights must be remunerated.

³ Higher Ed. Act §3 (6) and RWTH Bylaws §2, please also see the recommendations on how to handle security-relevant research provided by the DFG: "Freedom of Science and Responsibilities of Science,"

⁴ NRW Higher Education Act, RWTH Guidelines on Safeguarding Scientific Practice

⁵ EU Framework for State aid for research and development and innovation

Moreover it must be ensured that RWTH maintains the rights of use of protected intellectual property.

3. Dealing with Conflicts of Interest⁶

3.1 RWTH Aachen University is a public research and educational institution. For this reason, in case of conflicts of interest between RWTH and third parties, it is always preferable for all members of the University to act in the public interest.

3.2 If a university member takes up secondary employment or performs services for third parties, it is to be ensured that the member's official duties are not adversely affected.

4. Confidentiality of Information⁷

4.1 The threats posed by economic and industrial espionage are increasing. As RWTH cooperates with third parties that operate worldwide, all RWTH members are asked to minimize the risk of becoming a target of such espionage.

4.2 When initiating collaborations between RWTH and third parties, it is to be defined what information is to be treated as confidential. The handling of this information between RWTH and third parties is to be contractually regulated. To be protected are, besides technical data, in particular personal data, e.g. of students. Before concluding an agreement, both collaborative partners sign a confidentiality agreement if confidential information is being handled as part of the collaborative venture.

5. Bribery and Corruption⁸

5.1 It is not permitted for RWTH members to offer, promise, grant or provide any undue benefits (such as invitations, cash payments, presents, bonuses, services, etc.), directly or indirectly, in connection with official duties performed. RWTH members are not permitted to take advantage of their position to demand, accept, or procure benefits for themselves.

5.2 If possible benefits are to be received, it is mandatory to ask the permission of one's superior in advance (official employer approval).

5.3 RWTH has issued guidelines on Corruption Prevention and Protection of Employees.⁹

⁶ Sections 33, 34 and 36 Civil Servant Status Act, articles 20, 21, Administrative Process Act

⁷ Section 37 Civil Servant Status Act, section 3 (2) TV-L, Section 6 NRW Data Protection Act

⁸ Section 42 Civil Servant Status Act, section 59, section 3 NRW Civil Service Act (3) TV-L, NRW Corruption Prevention Act

6. Donations and Sponsoring¹⁰

6.1 RWTH is expanding its financial basis by accepting donations and through sponsoring activities. These activities do not serve the acquisition of funds for contract research, but to support research, teaching, early-career researchers, and infrastructural measures.

6.2 Through these activities RWTH is provided with financial and material contributions and other benefits.

6.3 Donations are selfless contributions that are not made to profit from promotional or other benefits for one's business; they are not made to receive anything in return. The donor cannot derive any claims from their donation. In particular, if the contribution is used to fund an endowed professorship, it is to be ensured that the donor does not have any influence on the activities of the professorship. Donations made to RWTH must serve the public good as defined in the Fiscal Code (Abgabenordnung, § 51ff).

6.4 Sponsoring is a contractually defined, goal- and project-related collaboration between RWTH and a sponsor which aims at providing the sponsor with a (communicative) value that supports their marketing objectives.

6.5 Any contributions received from the sponsor must be in accordance with the above ethical principles. All contributions must be visible and transparent.

7. Health and Safety¹¹

RWTH commits itself to safeguarding the health and safety of its members. In collaborative activities with third parties, RWTH expects that these are equally committed to the health and safety of RWTH members.

⁹ Circular A 2012 - 25 "Corruption Prevention", with leaflet, further information is also available at www.rwth-aachen.de/korruptionspraevention.

¹⁰ Fiscal Code, Income Tax Act, Donations and sponsorship guidelines in preparation.

¹¹ Article 45 Civil Service Status Act, General administrative regulation issued by the RWTH Chancellor on the implementation of occupational safety and environment protection at RWTH, Article 12 of the Treaty on good employment conditions with the federal state and the staff councils - Establishment of an effective health management system.