

## CASE OF SCIENTIFIC INTEGRITY

2016

### Failing to mention co-author - unfounded

Tilburg University

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#### 1. Subject of the complaint

Failing to mention as co-author

#### 2. Advice of the Scientific Integrity Committee of Tilburg University

The persons concerned are hereinafter referred to as [complainant], [respondent 1] and [respondent 2], as well as complainant and respondents. The Scientific Integrity Committee is abbreviated as CWI.

##### 1. The complaint

In his complaint accuses the respondents of wrongly failing to mention him as co-author of an article written by [respondent 1], [respondent 2] and [third author] ([date]), “[title]”, [journal 1],

The complaint was first heard by the Confidential Advisor on Scientific Integrity of Tilburg University [name]. He closed the case on [date] without being able to reach a solution, and referred the persons concerned to the CWI.

[Complainant] stated in his comments on the answers of the respondents (attachment to the e-mail of [date]) that his complaint is not addressed to the third author, “since he might had not been aware on this matter when contributing for the article in question”.

##### 2. Complainant and respondents

[Respondent 1], employed at [organization 1], graduated on [date] from [university] with a master’s thesis entitled: “[title]”. Afterwards, as external PhD. student at Tilburg University, he started on a doctorate thesis under the supervision of [respondent 2], associate professor of [field of study] and special professor at [name department], Tilburg University. The subject of the thesis [description subject]. In [date], [respondent 1] stated that he was looking for students who wanted to do research at [organization 1], supervised by him and [respondent 2], into [subject], and who wanted to write a master’s thesis about it. [Complainant], who was studying at Tilburg University, was selected and hired as a paid apprentice at [organization 1]. From [date] through [date], he was employed in that capacity, and he wrote his master’s thesis under the supervision of the respondents.

[Complainant] graduated in [date], with a master’s thesis on the subject “[subject]”. Afterwards, he returned to [name country]. He notified [respondent 2] and [respondent 1] that he wanted to write an article based on part of his dissertation, but, after a short period of correspondence, neither of them heard anything more from him until [date]. In an e-mail of that date, [complainant] informed [respondent 2] that he intended to write an article (again), based on his master’s thesis, and asked if this was feasible. At the



same time, he stated that he had seen the article by [respondent 1], [respondent 2] and [third author] in the [journal 1], and asserted that this article “contains significant amount of ideas extracted from my dissertation.” By dissertation, he means his master’s thesis from Tilburg University. After a short exchange of e-mails with [respondent 2], submitted by the respondents on [date], [complainant] filed his complaint.

### 3. Course of the proceedings before the CWI

On [date], the persons concerned were informed that the Confidential Advisor on Academic Integrity of Tilburg University had closed the case and referred the persons concerned to the CWI.

The CWI met on [date]. During the meeting, the CWI member, [name], withdrew because of possibly too close ties with one of the respondents, [respondent 2]. The Executive Board replaced him for this case by [name], professor emeritus of [field of study], Tilburg University.

On [date], on behalf of the CWI, [complainant] was notified (with similar notifications to the respondents):

*“The committee has judged that your complaint is admissible and therefore will handle your complaint. Due to the holiday season this will take longer as usual. The next meeting of the committee will be planned at the end of [month].”*

On [date], the persons concerned were informed on behalf of the CWI:

*“As part of the investigation of (the) complaint, The Scientific Integrity Committee (hereinafter: the Committee) decided on [date] to ask all persons involved further questions. I have enclosed the questions as appendix to this letter. The Committee would like to receive your answers before [date].” The six questions asked were the same for all persons concerned.*

[Complainant] answered by e-mail on [date], adding several attachments; and the other two jointly on [date], also with attachments. Afterwards, [complainant] requested clarification of the third question.

In [date], the persons concerned were informed that the hearing of the case by the CWI had been delayed because of special circumstances. The special circumstances were not related to the case in question, but to the withdrawal of the CWI as a result of the decision by the Executive Board in a different integrity case. After consulting with the Executive Board, it was decided that, in order to prevent further delay, the CWI would settle the current cases, including the one in question.

The CWI met on [date], and decided, to complete and close the written stage of the proceedings, it would give the persons concerned on both sides the opportunity to respond to one another’s answers of [date]. The persons concerned were notified to that effect in an e-mail of [date]. The answers on both sides were added as an attachment. In the e-mail to [complainant], the meaning of the third question was explained. A time limit of three weeks was set. The persons concerned were to be notified afterwards of the continuation of the proceedings.

[Complainant] responded on [date], and the respondents did so jointly on the same day as well.



The CWI met again on [date], and decided to organize a hearing in which [complainant] could participate by way of a Skype connection.

The hearing was scheduled on [date]. To prepare for the hearing, the CWI asked [respondent 1] to print out the e-mail correspondence between him, [respondent 2] and [complainant] in the period from [date] to [date], which, as the CWI has understood, is on the G disk of [organization 1] and is no longer available to [complainant].

[Respondent 1] sent the e-mail correspondence to the CWI on [date]. That was too short a time before the scheduled meeting of [date] to leave [complainant] and the CWI enough time to properly study the e-mails. Therefore, the hearing was rescheduled on [date].

In the hearing on [date] the CWI asked all parties involved questions to clarify certain topics, [complainant] got the opportunity to comment on the e-mail correspondence, and all parties made final statements. The secretary of the CWI took notes.

#### 4. Assessment of the complaint

1. Co-authorship requires that the person concerned has made a substantial intellectual contribution to the idea and/or the conceptual framework of the publication, or to the collection of data, or to the interpretation and analysis of the data, or to manuscript drafting and/or final approval of the research.<sup>1</sup> The requirements are not cumulative. Substantial means: more than occasionally and more than purely or predominantly doing what others instruct one to do. A job or hierarchical relationship, for example of a student and supervisor, need not stand in the way of a substantial contribution of the student or subordinate. The customary exchange of ideas among researchers in the workplace during discussions, presentations, by e-mail or informally at the "coffee machine" does not generally make a substantial contribution that qualifies one as a co-author. This certainly holds if each of them is occupied with their own research in similar or related areas. Should people judge this differently, the (extreme) consequence would be that all members of a research group that concentrates on a certain theme would all have to be considered co-authors of all publications of the research group. This is not the prevailing standard in [field] research.

2. [Complainant] summarizes the grounds of his claim on co-authorship of the article by [respondent 1], [respondent 2] and [third author] in the [journal 1] in his comments on the answers of the respondents (attachment to an e-mail of [date]):

*"To wrap up this letter, my final consideration lies on the facts that:*

*(1) The publication of the article in question would not be possible without the work carried out by me with the help of the other parties;*

*(2) I helped actively in the data collection in order to gather the required amount of samples for statistical analyzes, as well I had analyzed the data, which was shared with [respondent 2] and [respondent 1] in a form of conceptual framework. The consensus among all was for publishing this work.*

*My feeling are that, in possession of the data and the model with the drawn relationships, the other parties deliberately took the ownership of it and re-wrote the*

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<sup>1</sup> [source references]



article for publication without had communicated me at any single moment. For me, it denotes lack of transparency, therefore leading to questionable academic ethical behavior.

To support why I believe that I should had been included as co-author, I would like to stress on what [organization 2] policies for responsible authorship states: "[rule]." Based on this statement, I have been involved in the initial research design, data collection and analysis. I did not participate in the manuscript drafting and/or final approval because the other parties had never included me in these process steps." (underlining added. CWI)

3. [Respondent 1] and [respondent 2] summarize their position in their comments on [complainant]'s answers (attachment to an e-mail of [date]). As far as [complainant]'s claimed contribution to the conceptual framework of the article is concerned, they write the following:

"Question 1 regarding contribution of [complainant] to the conceptual framework of the contested published research.

[Complainant] argues in short that he is the one who took the lead in the study on [subject]. This does not reflect his contribution, however. Our arguments as given in our former reaction in short are:

1) He was hired by [respondent 1] after he reacted on a vacancy for a thesis student within [organization 1] (see emails in the other document). The topic of this vacancy was "[topic]".

2) The draft article written by [respondent 1] and sent to [complainant] on [date] already contains most of the relevant topics ([example], etc.) and literature used later on. The email (see at the end of this letter) also clearly states that the topic of his research would be [topic]. See our former reaction to the questions of the CWI for more details. Furthermore we want to note that in the month [date] and [date] (before the start of his apprenticeship within [organization 1]) there were several meetings between [complainant], [respondent 2] and [respondent 1] (also confirmed by him in Email 1 that he included). During these meetings a lot of scientific articles, concept versions of the article of [respondent 1] and other materials were handed and suggested to [complainant]. These materials were handed in hardcopy and per email. Since [respondent 1] also used a Gmail and Tilburg University e-mail account at that moment (five years ago;) that he has no longer access to, it is not possible to share all of the information with the commission. I did sent some of the emails from my [organization 1] account in my former reaction to the commission. When [complainant] started working for [organization 1] [respondent 1] and [complainant] mostly communicated via the [organization 1] e-mail accounts. These are mostly still available in the account of [respondent 1].

3) Proof of writing on the topic of "[topic]" can also be found in the [...] thesis of [respondent 1] for [name university] (finished at [date]).

In short, the article that was published in [date] by [respondent 1], [respondent 2] and [third author] is based on a conceptual model and study design that was largely developed before [complainant] started working on his thesis. [complainant] was



involved in the data gathering process but did not make any substantial contribution to the design of the study and the analyses of the data. (underlining addedCWI)

The thesis proposal, conceptual model, study design, and measurement scales associated with the thesis of [complainant] are furthermore and for a substantial part based on previous work and publications by [respondent 2] and the work in progress draft of the [date] article developed by [respondent 1] before [complainant] started working on his thesis, as well as additional information and guidance provided in the process of elaborating the thesis. The draft proposals and brainstorms [complainant] is referring to are a normal part of guiding a student in writing his master thesis.

4. In their further comments (loc. cit.), they also reject the claimed contribution of [complainant] to the operationalization of the conceptual framework in the questionnaire:

"Question 2 regarding the operationalization of the conceptual framework and the conversion into the questionnaire.

*[Complainant] claims to be the leading researcher and to be the one who took the lead in designing and choosing all of the questions and topics. This does not reflect his contribution. See the arguments provided above and the fact that the draft questionnaire was already available. See also the draft article sent to [complainant] on [date]. (...)"*

5. It can be derived from the underlined passages in the quotes where the difference of opinion between the complainant and respondents lies in assessing the complaint whether [complainant] rightly claims co-authorship of the contested article by [respondent 1], [respondent 2] and [third author] in [journal 1].

6. The CWI states first of all that it is of the opinion that the circumstance that [complainant] "did not participate in the manuscript drafting and/or final approval, because the other parties had never included me in these process steps", as he writes, does not form part of the complaint, i.e. that [complainant] does not base his complaint about not being mentioned as a co-author (partly) on this. Consequently, the CWI need not examine whether [complainant] was rightly or wrongly involved by the respondents in writing the article. Co-authorship can also be based independently on one or more of the other grounds [complainant] has put forth.

7. The other grounds are: relevant and substantial contribution to the conceptual framework (design of the study), to the data collection and to the data analyses. The respondents contest the first and third grounds. Concerning the second, they acknowledge that [complainant] was involved in the data collection, but they argue that his contribution to it was not substantial. They do believe in retrospect that they should have thanked [complainant] in the article for his help on that level. They have excused themselves for this and have repeatedly stated that they sincerely want to search for a possibility to express this gratitude in public.

### **I. Conceptual Framework**

8. In his master's thesis of [date], [respondent 1] was intensely occupied with [subject]. At the end of his master's thesis, on [page number], [respondent 1] announces that a lot is still unclear in the concept "[subject]", and that further research is needed, both substantive and empirical (by means of surveys). He will do that in his dissertation, he



announces, whereby his master's thesis will constitute the theoretical part of the dissertation.

9. In his draft article of [date] about "[subject]" [respondent 1] worked out his master's thesis in more detail. He again paid much attention to "[subject]". The article by [respondent 1], [respondent 2] and [third author] also opens with this. Furthermore, in both the master's thesis of [respondent 1] [page number] and his draft article from [date] [page number] and in the article from [date] [page number], conceptual models occur, with hypotheses. They are not exactly the same, but, to the extent relevant here, all three of them relate to [subject].

10. This has made it clear to the CWI in the first place that the concept "[subject]" was contributed by [respondent 1] and not by [complainant]. [Complainant] responded to an advertisement of [respondent 1]/[organization 1] in which a student was sought for research into [subject] (see above under 3). Immediately after his appointment, he received, among other things, the draft article by [respondent 1] of [date] about [subject]. The overview of the literature about [subject] in his ([complainant]'s) master's thesis of [date] is largely not new compared to what [respondent 1] had already written about it at the time.

11. In the second place, it clearly follows from this, unlike what [complainant] wrote in his answer of [date] to question 1, paragraphs 1 and 2, that the focus on [subject] was not contributed by him, but by [respondent 1]. Moreover, [complainant] was engaged exactly for this subject (see above at the advertisement and also the e-mail [respondent 1] send to [complainant] on [date], which entails: "I would like you to focus on [subject]"). Consequently, what [complainant] wrote on [page number] of this master's thesis:

*"(...) [subject]"*

is nothing more than doing that for which he was hired by [respondent 1]/[organization 1], and not a "finding" made by him that was then taken over by the respondents.

12. In the third place, the conceptual model that [complainant] develops in his master's thesis, [page number] does not differ in essence from the models of [respondent 1] and the respondents. It focuses only partly on other variables and in a more limited way. Consequently, in the opinion of the CWI, [complainant]'s claim in his answer to question 4 ([date]) that his master's thesis has shown results that were new in the literature about [subject] is incorrect. In the opinion of the CWI, his accusation (loc. cit., paragraph 4, repeated in his comments on the answers of [respondent 1] et al. on [date], [page number]) that the respondents took over part of his conceptual model, regarding which he himself argues that they deliberately took over only part of it to avoid plagiarism, is completely unfounded.

13. This brings the CWI to the conclusion that, in its opinion, [complainant] cannot base his claim that he should be recognized as co-author of the article by [respondent 1], [respondent 2] and [third author] on his alleged substantial contribution to the conceptual framework of that article. There is no question of such a substantial contribution.

## **II. Data collection**



14. As said, the respondents acknowledge that [complainant] was involved in the data collection, but they argue that his contribution to it was not substantial. The CWI distinguishes two types of contributions by [complainant] to the data collection (A and B).

A.

15. In the first place, according to [respondent 1] and [respondent 2], the contribution of [complainant] was not substantial with respect to operationalization of the conceptual framework in the questionnaire. [Complainant] claimed ([date], question 2) that

*"(s)ince I was the leading researcher, I was responsible to come up with the ideas for the conceptualization of this study (Please see "Proposal.pdf).....*

*The questions chose for the survey were suggested by me - based on the literature - and agreed by all parties, except for those concerned to [respondent 1]'s study aforementioned (Question 1<sup>2</sup>). Even if I did not included all [subject] variables in the Master Dissertation, I was the one who had brought them to discussion."*

16. The CWI finds that there are always two sides to drafting questionnaires. A purely technical side: drafting a questionnaire (and later processing/coding it). This is rather administrative (assistant-like) work. The second side is substantive: a questionnaire requires a substantial, substantive contribution. At the time [complainant] was hired by [organization 1], [respondent 1] said that he had already drawn up various draft questionnaires. During the hearing, [respondent 1] pointed out that, on [date], he not only sent [complainant] a draft of his article from [date] by e-mail, but also a version of the questionnaire, which was attached once again to a submitted e-mail of [date]. This shows, among other things, that the assertion by [respondent 1] and [respondent 2] that the questionnaire was already in a considerably advanced stage at the time [complainant] started employment at [organization 1], is correct. During the hearing, [complainant] relied on the fact that he no longer knew precisely whether he had received that version, but the CWI is of the opinion that this is not credible, and is at any rate not a convincing defense. The questionnaire was indeed supplemented, changed and tightened during [complainant]'s employment, and it is plausible, as is also evident from the e-mails submitted, that [complainant] had contributed to it, as had other apprentices, such as [name], or other PhD students of [respondent 2], such as [name]. It has not, however, become plausible from the documents and the hearing that [complainant] had contributed substantially to the operationalization of the conceptual framework in the questionnaire. It can indeed be determined with certainty that his claim that all ideas and questions relating to the questionnaire came from him alone is not correct. On these grounds the CWI is of the opinion that the contribution of [complainant] to the operationalization of the conceptual framework does not justify a co-authorship.

B.

17. [complainant]'s contribution to the data collection also relates to "activities other than drawing up the questionnaire", more particularly to working together on finding

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<sup>2</sup> He refers to his answer to question 1 of the CWI of [date]. This concerns questions about [subject], on which, according to him, the research by [respondent 1] mainly focused. "The main purpose of adding questions upon [subject] on the survey was to serve its purpose." In view of what the CWI has found above under I. Conceptual framework, [complainant] is demonstrably wrong about this.



enough respondents, actually getting the questionnaires ready, collecting the completed surveys, and entering the data for the purposes of (statistical) analysis. The respondents acknowledge this, but argue that [complainant] performed this work exclusively or predominantly in a helpful and supporting capacity. Furthermore, he did not do the work alone, nor could he have done it alone, because he is not a “native speaker”, either of English or of Dutch. Nor, for that matter, has [complainant] argued either that he did this work alone. [Complainant] asserts in his answer to question 5 of [date] (see also his comments of [date], [page number]) that he provided for enough respondents together with [respondent 1], and that he had checked “the veracity of the files presented by checking the dates the files were created”. In the opinion of the CWI, however, this does not affect the fact that this work is mainly or exclusively clerical and supporting in nature. There is no evidence that during its actual performance, the nature of [complainant]’s work developed or was converted into a materially substantial and independent contribution. In the opinion of the CWI, this means that [complainant] cannot base his claim to be recognized as a co-author on the above-mentioned “activities other than drawing up the questionnaire”.

### **III. Data analyses**

18. [Complainant] claims a substantial contribution to the data analyses for the purposes of the article by [respondent 1], [respondent 2] and [third author] but in the hearing he concludes that although he shared all titles of the variables of his own data analyses with [respondent 1] and [respondent 2], he cannot claim having done the analyses in the article, since he wasn’t involved in writing the article itself (he was not invited to participate). The CWI has already rejected his contention that he did contribute to the essential idea behind the article under 8-13. The respondents repeated at the hearing their denial of [complainant]’s claim that they had already expressed in their comments on [complainant]’s answers ([date], [page number]). They emphasized that they themselves did all analyses for the [date] article.

19. The CWI adds the following to this. The complainant and respondents used virtually the same dataset, the respondents those of [number] respondents and [complainant] those of [number] respondents. This fact is, however, not a deciding factor. The point is what they did with it in their research. [Complainant] states on [page number] of his master’s thesis that “[subject].” The article by [respondent 1] et al. actually states on [page number] as the “central question in this research: [subject]”

20. The complainant and respondents agree that their research differs significantly. Both also explicitly mention these differences. See their answers to question 4 (respectively [date] and [date]). The differences are clearly evident as well from the partly diverging variables they investigated (tables on [page number] of [complainant]’s master’s thesis, respectively [page number] of the article, in both under the heading “Results”).

21. It follows from this that, in the opinion of the CWI, it is not plausible, nor has [complainant] made it plausible, that he was substantially involved in the data analyses for the purposes of respondents’ research. He has not at all made plausible the (implicit) suggestion he made that the respondents took over (parts of) his data analyses without his permission.

### **Advice**

1. The complaint is unfounded.



2. Express as a general rule that clear, written agreements must be made with students involved in other people's research on the contents, nature and scope of their work. It should explicitly be noticed, and evaluated afterwards in an interview with the student, whether the work justifies recognition as an author or co-author.
3. What is stated under 2 should be brought to the attention of faculties and departments.
  
3. **Initial decision of the Executive Board**  
In its meeting of May 17th, 2016 the Executive Board has decided to settle its initial judgment accordingly to the advice given by the Committee.
  
4. **LOWI**  
The case was not submitted to the LOWI.
  
5. **Final Decision Executive Board**  
The (initial) decision of the Executive Board of May 17th, 2016 became the final decision on June, 28th, 2016.