

Annual Report

Legal protection EUR 2016

Board of Appeal for Examinations - CBE

Advisory Committee for Notices of Objection - ACB

Complaints Committee for Undesirable Conduct - SIAG

Board of Appeal for Non-Initial Programmes - GNIO

Confidant for Scientific Integrity - VPWI

Committee for Scientific Integrity - CWI

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Preface

This annual report relates to the work carried out by the legal protection boards supported by the General Management Directorate's Administrative & Legal Affairs department (hereinafter: BJZ) of the Erasmus University Rotterdam in the period 1 January 2016 to 31 December 2016.

The annual reports of the Board of Appeal for Examinations (hereinafter: CBE), the Advisory Committee for Notices of Objection (hereinafter: (ACB), the Complaints Committee for Undesirable Conduct (hereinafter: SIAG), the Board of Appeal for non-initial programmes (hereinafter: GNIO), the Confidential Advisor for Scientific Integrity (hereinafter: VPWI) and the Committee for Scientific Integrity (hereinafter: CWI) have been bundled in this report into one joint annual report. The report gives an overview of the cases handled by the various boards and committees during the year 2016.

	Number of cases handled in 2016	Number of cases handled in 2015	Number of cases handled in 2014	Number of cases handled in 2013
CBE	275	226	250	223
ACB	36	54	41	90
SIAG	1	1	0	0
GNIO	1	1	4	3
VPWI	21	30	11	n/a
CWI	3	5	2	n/a

A total of 275 appeals were submitted to the CBE in 2016. The ACB received 36 notices of objection. One complaint was submitted to the SIAG Committee in 2016. One appeal was submitted to the GNIO. The VPWI held 21 discussions and the CWI handled 3 complaints, which were declared admissible in 2015, in 2016.

This annual report was compiled under the responsibility of the secretaries of the legal protection boards. They would like to thank Ms M.K. Nageswar at the department secretariat BJZ for compiling the tables. Ms S. Kalhori, student intern at BJZ, for the first draft of the text. Finally the secretaries of the legal protection boards would like to thank Ms Afrasiyabi and Mr S.A. Dekker at the department's secretariat for their cooperation in 2016.

S. El Ghafour-Aboulâsri LL.M.
Secretary CBE & ACB

W.A. Kleinjan
Secretary CBE, ACB, SIAG & GNIO

Th. J. van Laar MPA
Head of BJZ, secretary ACB & GNIO

R. te Lindert
Secretary VPWI & CWI

1. Board of Appeal for Examinations - CBE

§ 1.1 Introduction

The number of appeals to the Board of Appeal for Examinations has been at a high level for several years now. In 2016, 275 appeals were lodged. The number of appeals in 2015 was 226.

In paragraphs 2 and 3, we will be taking a brief look at the CBE's statutory regulation and composition at the end of the year under review. We will give a quantitative overview of the appeal cases in paragraph 4. These appeals have been divided up according to the faculty or programme, and this has also been included here. The overview gives figures on the results of the appeals.

In 2016, the CBE gave decisions in 64 cases, of which 9 appeals were upheld, 51 appeals unfounded and 4 were manifestly inadmissible (hereinafter: MI).

Paragraph 5 contains an overview of the appeals against the CBE's decisions submitted to the Board of Appeal for Higher Education (hereinafter: CBHO) in 2016. In 2016, there were 16 appeals lodged against the CBE, which is 3 appeals more than in 2015.

§1.2 Statutory regulation

Chapter 7 of the Higher Education and Research Act (hereinafter: WHW) sets out legal protection for students.

Article 7.60 of this Act states that each institution of higher professional education and academic higher education must have a CBE.

Article 7.61 of the Higher Education and Research Act provides for the CBE's jurisdiction. There is only one ground for assessment, i.e. assessment in relation to the law. This ground specifies that the CBE must carry out assessments in relation to the written and unwritten administrative and non-administrative legal rules and legal principles. In the case of assessment in relation to written law, this centres on the question of whether the disputed decision conflicts with regulations prescribed in a formal sense in or pursuant to the General Administrative Law Act (hereinafter: AWB), WHW, or any other Act. It also examines whether the relevant decision conflicts with regulations at the institution itself, such as the Course and Examination Regulations (hereinafter: OER) for the programme or the Rules and Regulations of the examining board. In the case of assessment in relation to unwritten law, the CBE can verify whether a decision complies with general principles of proper administration or other general legal principles.

The CBE must limit itself to assessing the legitimacy of the decision. Pursuant to the WHW, the efficacy aspects of a disputed decision made by one of the bodies at the institution in question are not relevant in procedures at the CBE.

Appeals submitted to the CBE are deemed to be administrative appeals as referred to in Article 1:5 paragraph 2 of the AWB. This means that apart from a number of exceptions, the AWB applies to the procedure for the CBE. The appeals period as referred to in Article 7.59a, paragraph 4 of the WHW is six weeks for the CBE.

§ 1.3 Composition of the CBE

In 2016, the CBE consisted of nine members, of which four are deputy members. The members are appointed and removed by the EUR's Executive Board. Except for the external chairman, the majority of the CBE are members of the academic staff. There are three student members, including a deputy student member. The CBE is assisted by two secretaries.

In accordance with its Rules of Procedure, the CBE usually sits with five or three members. Although it is sometimes difficult in practice to form a board with five members.

At the end of the year under review, the CBE comprised of the following members:

Members:	
P.J.W.M. Sliepenbeek	chairman
professor H.A.P. Neumann	member
N.A. Hofstra	member
H. van 't Foort	student member
M.R.A. Slag	student member

Deputy Members:	
F.W.H. van den Emster	deputy chairman also deputy member
A.G.H. Klaassen	deputy chairman also deputy member
Dr J. van Dalen	deputy member
W. Veldhoven	deputy student member

The CBE received support from the following persons in 2016:	
W.A. Kleinjan	secretary
S. El Ghafour-Aboulâsri LL.M.	secretary
S. Kalhori	student intern
D. Latupeirissa	secretariat
M. Nageswar	secretariat

§ 1.4 Quantitative overview of the appeal cases

The tables below (see table 1-5) give a concise overview of the appeal cases lodged with the CBE in 2016.

The caseload of the CBE rose again and is developing in line with the national trend. The caseload was dealt with within BJZ/ABD.

In 2016, a total of 275 cases (including application for provisional measures or vovo) were submitted to the CBE. Compared to 2015, that is an increase of 49 cases (see table 1). In 2017, there are still 3 cases to be dealt with from 2016.

All these cases occurred at the faculties and concerned appeals against decisions made by examining boards, examiners, deans and admission boards.

Table 1 - Number of cases submitted to the CBE

	2016	2015	2014	2013
Total submitted cases including 32 vovo)	280	231	250	223
Appeals	275*	226	250	221
No appeal (sent on: CBE not authorised to handle them)	5	5	0	2

*Of which, 3 cases from 2016 still have to be dealt with in 2017.

Table 2 - Division of the appeals according to the examination boards

	2016	2015	2014	2013
Institute of Health Policy & Management (iBMG)	23	7	14	11
Erasmus School of Economics (ESE)	86	55	57	60
Erasmus MC	23	13	28	12
Rotterdam School of Management (RSM/IBA)	67	62	67	63
Erasmus School of Law (ESL)	54	54	64	54
Erasmus School of History, Culture & Communication (ESHCC)	4	10	9	5
Faculty of Social Sciences (FSW)	18	24	11	16
Erasmus University College	0	1	0	0
Total:	275	226	250	221

Table 3 - Results of the appeals

	2016	2015	2014	2013
Appeals	275	226	250	221
Settlement/withdrawn	210	180	177	158
Decision:	64*	51	50	50
Inadmissible	4	6	10	6

				(1 partly unfounded)
Unfounded	51	38	32	38
Upheld	9	7	8	6
Cases still in progress on 31 December	3	5	25	13

*8 of these decisions concern cases that occurred in 2015

Table 4 - Decisions for each Examining Board in 2016

	Number of decisions	Unfounded	Upheld	Inadmissible
Institute of Health Policy & Management (iBMG)	6	4	2	0
Erasmus School of Economics (ESE)	11	10	0	1
Erasmus MC (incl. GSK) *	11	8	1	2
Rotterdam School of Management (RSM/IBA)	10	7	2	1
Erasmus School of Law (ESL)	18	15	3	0
Erasmus School of History, Culture & Communication (ESHCC)	2	2	0	0
Faculty of Philosophy (FSW)	6	5	1	0
Erasmus University College	0	0	0	0
Total:	64	51	9	4

* Since 2016, the new name is: Examining Board MC (EMC)

§ 1.5 Decisions of the CBE

Table 5 - Decisions of the CBE in 2016

15,209	ESL	Progress requirement dispensation	Unfounded
15,216	ESHCC	Individual study plan	Unfounded
15,224	ESL	BSA	Unfounded
15,225	GSK	BSA	Unfounded

15,210	GSK	BSA	Unfounded
15,226	ESL	Progress requirement dispensation	Unfounded
16,007	ESL	Examination result	Unfounded
16,008	ESL	Fraud	Upheld
15,215	GSK	Letter of recommendation and diploma supplements	Unfounded
16,252	EMC	No examining board decision	Inadmissible
16,011	ESL	Reassessment and determination of mark	Upheld
16,013	ESL	Determination of mark	Unfounded
16,023	ESE	Progress requirement dispensation	Unfounded
16,066	GSK	Content of letter from examining board	Inadmissible
15,217	GSK	Content diploma supplement	Unfounded
16,005	GSK	Clinical placements	Unfounded
16,048	ESE	Admission to master programme	Unfounded
16,056	ESE	Access to seminar requirements dispensation	Unfounded
15129 (16,002)	ESL	Master course exemption	Unfounded
16,044	ESL	Extension of validity of marks achieved	Unfounded
16,060	FSW	Examination reassessment	Unfounded
16,067	BMG	Course exemption	Unfounded
16,065	GSK	Programme resumption	Unfounded
16,074	ESE	Admission to master programme	Unfounded
16,077	ESE	Admission to master programme	Unfounded
16,058	ESL	Examination result	Unfounded
16,084	ESL	Course exemption	Unfounded
16,092	ESL	Awarding mark	Unfounded
16,102 and 16,103	ESL	Awarding mark	Unfounded
16,099	IBA	Admission to bachelor programme	Unfounded
16,087	IBA	Admission to bachelor programme	Unfounded
16,120	ESE	Admission to master programme	Unfounded
16,094	IBA	Admission to bachelor programme	Unfounded
16,117	IBA	Admission to bachelor programme	Unfounded
16,123	IBA	Admission to bachelor programme	Unfounded
16,171	ESE	BSA	Unfounded
16,202	FSW	BSA	Unfounded
16,111	RSM	Admission to master programme	Upheld
16,176	ESE	BSA	Unfounded
16,194	ESE	Admission to master programme	Unfounded
16,161	FSW	Course exemption	Unfounded
16,163	FSW	Course exemption	Unfounded

16,178	FSW	BSA	Unfounded
16,183	IBMG	Deadline postponement and preservation examination possibilities	Unfounded
16,249	iBMG	Advanced Research Methods (ARM) submission deadline	Upheld
16,227	ESE	BSA	Unfounded
16,214	ESL	BSA	Unfounded
16,148	RSM	Submission for notice of appeal term	Inadmissible
16,159	RSM	Resit mark	Unfounded
16,235	EMC	BSA	Unfounded
16,155	EMC	Master research Medicine	Upheld
16,232	FSW	BSA	Upheld
16,233	iBMG	Admission to master programme	Upheld
16,223	iBMG	Admission to master programme	Unfounded
16,206	ESHCC	Entrance examination exemption	Unfounded
16,113	ESL	Examination result	Unfounded
16,241	ESL	BSA	Upheld
16,244	ESL	BSA	Unfounded
16,228	EMC	Admission to bachelor programme	Unfounded
16,210	RSM	Examination mark assessment	Upheld
16,247	ESL	BSA	Unfounded
16,251	ESE	Submission for notice of appeal term	Inadmissible
16,250	iBMG	Examination assessment	Unfounded
16,226	RSM	Admission extra bonus point	Unfounded

In reporting year 2016, there have also been 4 decisions with an operative part: *manifestly inadmissible* (MI). An appeal is ruled inadmissible if a student has submitted an appeal to the CBE outside the statutory appeal term of 6 weeks after the date of the disputed decision and does not have an explanation for this which makes exceeding the term excusable.

Inadmissible means that the appeal is not further materially assessed. If the board observes that an appeal is possibly inadmissible, the person making the submission is given the opportunity by the board to indicate in writing why he submitted his notice of appeal outside the appeal term. He will be given a term to this end. The board subsequently assesses whether the stated reason can excuse exceeding the appeal term. If that is the case (but in legal practice this is rarely the case), the appeal is still dealt with.

Of the 275 appeals (including vovo) submitted in 2016, a hearing was held in 64 cases. Other appeals were settled or (afterwards) withdrawn by the student during the amicable settlement phase. The amicable settlement phase is an essential part of the procedure at the CBE. This phase is described in Article 7.61 of the WHW. Recent decisions by the CBHO show that the civil court considers the implementation of this phase to be of great importance. Appeals where during the process it becomes clear that an examining board failed to have an amicable settlement meeting with the submitter of the appeal can be upheld for that reason.

The most frequently-occurring for the lodged appeals was a *negative binding study advice* (hereinafter: NSBA). Of the 14 NSBA appeals submitted in 2016, 12 were unfounded, 2 were upheld, 0 declared MI (see table 6).

Table 6 – Negative Binding Study Advice 2016

Faculty	upheld	unfounded	MI
ESE	0	3	0
ESL	1	4	0
ESHCC	0	0	0
EMC (incl. GSK)	0	3	0
RSM	0	0	0
FSW	1	2	0
Total:	2	12	0

§ 1.6 External appeals to the CBHO

A student can appeal against decisions of CBE to the Board of Appeal for Higher Education (CBHO) in The Hague. The legislator has not given an examining board the option to appeal against a decision of the CBE. In some cases, it is also possible after a decision on objection, to turn to the CBHO (if there is an ACB advice therefore, see §2 of this annual report).

In the annual report 2016, 16 appeals were lodged against decisions of the CBE and the ACB together. Looking at the last four years, there is a rising trend in the number of cases submitted to the CBHO.

The CBHO's decisions can be viewed on their website: www.cbho.nl.

Table 1 - Number of appeal cases submitted to the CBHO

	2016	2015	2014	2013
Appeal cases submitted	16	13	12	11

2. Advisory Committee for Notices of Objection (ACB)

§ 2.1 Introduction

The number of notices of objection submitted to the ACB showed a fall during the past reporting year. In reporting year 2015, 54 notices of objections were lodged. In reporting year 2016, 36 notices of objections were lodged, which is a fall of 18 notices. Table 1 also shows that there were peaks and troughs between reporting years 2013 and 2016.

In paragraphs 2 and 3, we will be taking a brief look at the ACB's statutory regulations and composition. We will give a quantitative overview of the objections in paragraph 4.

Table 1 - Number of objections submitted to the ACB

	2016	2015	2014	2013
Submitted objections	36	55	41	90
Objections	36	54	41	90
No objections (sent on: ACB not authorised to hear them)	0	1	0	0

§ 2.2 Statutory regulation

The ACB is an advisory committee in the meaning of Article 7:13 of the AWB and was set up in order to prepare decisions to be made in respect of notices of objection. In addition, the committee is also the disputes advisory committee as referred to in Article 7.63a of the WHW, which stipulates that each higher education institution must have its own disputes advisory committee. The disputes advisory committee gives advice on objections with respect to decisions other than those referred to in Article 7.61 of the WHW. This article determines the CBE's authority.

§ 2.3 Composition of the ACB

The ACB consists of eleven members, of which one chairman, who is also a member of the committee and one deputy chairman. The members originate from staff and there are external members.

The committee is divided into four sections: personnel affairs, student affairs, electoral affairs and administrative affairs. The committee is assisted by three secretaries.

The ACB comprised the following persons at the end of the year under review:

Members:

J.H.M. Nijhuis	chairman / member
B.D. Peters	Deputy Chairman / member
V.H.M. Beerkens	member
M.H. Carp- den Baas	member
C.M. Dirks – van den Broek	member
C.A. Dubbeldam	member
Dr A.G.H. Klaassen	member
I.N. Fokma - Lanzing	member
P.Th.M. de Haan	member
R. Pieterman	member
J.J. Sirks	member

The ACB received support from the following persons in 2016:		
S. El Ghafour – Aboulâsri LL.M.	secretary	personnel affairs
W.A. Kleinjan	secretary	student affairs
Th. J. van Laar MPA	secretary	electoral and administrative affairs
S. Kalhori	student intern	
P.C.E. de Jong	minute taker	
M.K. Nageswar	secretariat	
D.A. Latupeirissa	secretariat	

§ 2.4 A quantitative overview of the objections

A total of 36 notices of objection were submitted during reporting year 2016 of which 2 were notices of objection for the personnel affairs section, 29 for the student affairs section (these included 5 notices of objection concerning the decentralised selection for Medicine), 5 for the electoral affairs section and 1 for the administrative affairs section. We note that the number of notices of objection has fallen by 18 compared to 2015.

The ACB has seen its caseload fall on balance. Both the manner in which the results of the decentral selection of the programme with restricted intake is communicated (student affairs) and the absence of large reorganisations (personnel affairs) seemed to have led to fewer notices of objection. The number of cases has only increased for administrative affairs of the ACB. This is fully attributable to the lodging objections to decisions on the basis of the Government Information (Public Access) Act (WOB). (The number of WOB applications has risen sharply in 2016 compared to 2015. The number rose from 5 to approx. 30)

Table 2 - Number of objections submitted to the ACB

	2016	2015	2014	2013
Personnel Affairs Section	2	16	10	16
Student Affairs Section	29	35	30	72
Electoral Affairs Section	0	2	1	2
Administrative Affairs Section	5	1	0	0
Total:	36	54	41	90

Table 3 - Results of the objections

	2016	2015	2014	2013
Objections	36	54	41	90
Recommendations	12	18	13	30
Inadmissible	4	1	0	3
Unfounded	8	12	10	20
Upheld	0	5	3	7

Table 4 - Number of recommendations for the objections made by each section

	Number of recommendations	Withdrawn/suitable/closed	Unfounded	Upheld	MI
Personnel affairs*	2	1	0	0	0
Student affairs	29	17	8	0	4
Electoral affairs	0	0	0	0	0
Administrative affairs	5***	0	3**	0	0
Total:	36	18	11	0	4

* There is currently 1 case pending at the Personnel Affairs Section. No recommendation issued yet in 2016

** Partly upheld

*** Two cases from 2016 of the Administrative Affairs Section have been transferred to an ad-hoc committee. It related to notices of objection to virtually identical decisions of 13 institutions as a result of identical WOB-applications. The ad-hoc committee has not yet issued recommendations.

2.5 External appeals to the CBHO

The relevant party can appeal against a decision on the objection to the Board of Appeal for Higher Education (CBHO) in The Hague, or the administrative law division of the district court (depending on the type of case).

In reporting year 2016, 16 appeals were lodged with the CBHO against the ACB and the CBE together. Looking at the last four years, there is a rising trend in the number of cases submitted to the CBHO.

The CBHO's decisions can be viewed on their website: www.cbho.nl.

Table 1 - Number of appeal cases submitted to the CBHO

	2016	2015	2014	2013
Appeal cases submitted	16	13	12	11

3. Complaints Committee for Undesirable Conduct - SIAG

§ 3.1 Introduction

The EUR has a complaints procedure for cases relating to undesirable behaviour. This procedure gives people the opportunity to submit a complaint - through a confidant - concerning harassment, sexual harassment, aggression, violence, bullying and/or discrimination to the Executive Board. The decision on the manner of handling written complaints submitted to the Executive Board concerning undesirable behaviour rests with the Executive Board. Depending on the nature and gravity of the complaint, the Executive Board may engage the SIAG complaints committee or one of the departmental administrators to advise on a complaint or handle the complaint, as well as asking for advice from the confidant.

§ 3.2 Statutory regulations & handling complaints

Articles 6 and 7 of the SIAG Regulations sets out the duties of the committee.

As soon as the Executive Board has transferred a complaint to be handled to the committee, the committee will launch an investigation. The committee must interview the complainant as soon as possible after receipt of a complaint. It must notify the person(s) accused of the complaint and interview the person(s) accused. This interview may take place with both parties present, but complainants and persons accused have to date always been interviewed separately.

The committee issues confidential and substantiated advice to the Executive Board on whether the complaint is upheld or unfounded and also on any measures to be taken.

§ 3.3 Composition of the SIAG Committee

The SIAG complaints committee consists of a chairman and two members, of whom one is a deputy chairman. There are three deputy members. All members of the SIAG committee are appointed and removed by EUR's Executive Board. The committee is supported by a secretary.

The chairman of the SIAG committee in the reporting year is Professor H. Bart emeritus professor at the ESE. The appointment term of Professor Bart ended on 31 December 2016. Professor H.G. van de Bunt, professor at the ESL, was appointed by the Executive Board as chair of the Committee SIAG from 1 January 2017. He was appointed for four years.

At the end of the year under review, the SIAG committee comprised the following members:

Members:	
professor H. Bart	chairman
Dr A.G.H. Klaassen	Member, also deputy chairman
W. Bezemer	member
B.D. Peters	deputy member
M.H Carp-den Baas	deputy member
C.A. Dubbeldam	deputy member

The SIAG Committee received support from the following persons in 2016:	
W.A. Kleinjan	secretary
R. te Lindert	deputy secretary
M.K. Nageswar	secretariat
D.A. Latupeirissa	secretariat

§3.4 Number of complaints

Only a limited number of complaints have been submitted to the SIAG committee for handling.

The committee investigated one complaint in 2016.

In reporting year 2015, again one complaint was investigated.

4. Board of Appeal for Non-Initial Programmes (GNIO)

§ 4.1 Introduction

The Board of Appeal for Non-Initial Programmes, also known as GNIO, is a facility for students participating in accredited non-initial programmes.

These students cannot follow the CBE-CBHO legal procedure for appealing against decisions made by the examining boards for these programmes. If no special facility existed, they would have to lodge an appeal against decisions made by the examining board or examiner with the civil court.

Article 6 of the GNIO Regulations states that the GNIO's powers are stipulated in the Course and Examination Regulations for the relevant programme. This means that the GNIO is not automatically authorised. The main reason for this is to give commercial programmes - such as e.g. the "BVs" - the opportunity to arrange for legal protection themselves. Unlike the faculties with respect to the CBE, programmes with respect to the GNIO pay EUR the cost price for handling for each case handled.

§4.2 Composition of the GNIO

The GNIO consists of one chairman and one deputy chairman, who are also a member of the Board of Appeal. In addition, the board has four members, of which three are deputy members. The members are appointed (for three years) and removed by the EUR's Executive Board. The Board of Appeal is supported by two secretaries.

At the end of reporting year 2016, the GNIO comprised the following members:

Members:	
J.H.M. Nijhuis	chairman / member
B.D. Peters	deputy chairman / member
R. Pieterman	member

Deputy Members:	
V.H.M. Beerkens	deputy member
Dr J. van Dalen	deputy member
A.G.H. Klaassen	deputy member

In 2016, GNIO was supported by:	
TH. J. van Laar MPA	secretary
W.A. Kleinjan	secretary

M.K. Nageswar	secretariat
D.A. Latupeirissa	secretariat

¶4.3 Cases handled

Table 1 - Number of appeals submitted to GNIO

	2016	2015	2014	2013
Institute for Housing and Urban Development Studies (IHS)	1	1	1	3
International Institute of social Studies (ISS)	0	0	1	0
Maritime Economics and Logistics (MEL)	0	0	1	0
Master City Developer (MCD)	0	0	1	0
Total:	1	1	4	3

The number of appeals submitted to the Board of Appeals for handling is very limited. In reporting year 2016, the Board only dealt with one appeal, just like in 2015. Compared to reporting years 2014 and 2013, there is a fall.

5. Confidant for Scientific Integrity (VPWI) & Committee for Scientific Integrity (CWI)

§ 5.1 Introduction

All persons involved in education and research at Erasmus University Rotterdam have a personal responsibility for maintaining scientific integrity. To this end, the general principles of professional scientific conduct must be observed at all times.

The Netherlands Code of Conduct for Scientific Practice (VSNU 2005, amended in 2014) gives an elaboration of these principles, which are also endorsed by EUR and which are intended to provide guidelines for the university as referred to in Article 1.7 of the WHW.

One of the ways of testing scientific integrity is the right to submit a complaint if staff at the University violate such scientific integrity, or if they are suspected of such violation.

The Executive Board has laid down a Scientific Integrity Complaints Procedure in order to implement this right to submit complaints.

§5.2 Handling complaints, investigation and working method

The complaints procedure provides for the working methods to be used by the central scientific integrity confidant as well as the scientific integrity committee. Everyone is entitled to submit complaints to this committee, either through the Executive Board or the scientific integrity confidant.

The scientific integrity confidant's role is that of a contact and central discussion partner for questions and complaints concerning scientific integrity. If the confidant sees an opportunity for doing so, he will endeavour to mediate or otherwise resolve the complaint amicably, and will inform the complainant how best to submit a complaint to the scientific integrity committee.

The committee's task is to investigate complaints and subsequently make recommendations to the Executive Board.

§5.3 Appointment of Scientific Integrity Confidant and composition of the Scientific Integrity Committee

The Executive Board of the EUR appoints one or more confidants for a period of four years after hearing the Doctorate Board. These confidants may be reappointed for subsequent periods of four years each.

The committee comprises a chairman and at least two members. The chairman is permanent and will be appointed by the Executive Board for a period of four years.

Reappointment is possible. The members of the committee will be appointed for a specific investigation.

The Scientific Integrity Confidant:

Confidant for:		
prof. P. Groenen*	(ESE)	De Woudestein faculties & ISS
Prof. P. Koudstaal*	(EMC)	Erasmus MC
prof. P.L. Meurs**	(iBMG)	Deputy Confidant Woudestein faculties & ISS

*prof. P. Koudstaal and prof. P. Groenen have been reappointed for a period of four years from 1 June 2016 and 1 January 2017 respectively.

**prof. H. Entzinger was the deputy confidant.

From 1 January 2017, Prof. H. Entzinger was replaced by prof. P. Meurs of the faculty Institute of Health Policy & Management (iBMG). She is appointed as deputy confidant for the coming four years.

In addition to the confidants appointed at EUR and Erasmus MC globally, there are a number of confidants present at faculty and sometimes departmental level who are the point of contact for questions relating to scientific integrity. They are not included in this annual report.

CWI

In reporting year 2016, the chairman of the scientific integrity committee was Professor Hans de Doelder (emeritus professor at ESL). The appointment period of prof. H. de Doelder ended on 31 December 2016. From 1 January 2017, prof. M. Kaptein of the Rotterdam School of Management (RSM) was appointed by the Executive Board of the EUR to permanent chairman of the CWI. He was appointed for the next four years.

Both the confidants WI and CWI receive official support. For the Woudestein faculties and the ISS this is provided by secretary R. te Lindert, working at the Administrative and Legal Affairs department within the General Management Directorate. (BJZ – ABD).

For the Erasmus MC, this is secretary J. Spithoven, working at the Research Policy, Education & Research department.

§5.4 Number of confidential consultations and complaints

In reporting year 2016, the confidants received in total 21 notifications with a request for a consultation. That is nine fewer than in reporting year 2015.

In most cases, the meetings concerned a consultation of the confidant on how to deal with a particular integrity issue and how to deal with a (possible) conflict.

Table 1 - Number of consultations

	Number
Consultations	16
Mediation	1
Complaints	4
Total	21

* No committee resulted

At the request of the University Council (during the discussion of the annual report over 2015), a brief indication is given of the nature of the reports relating to the three investigations of the CWI. No new investigations have been started by the CWI in the reporting year. Three investigations which had commenced earlier have been completed. These three investigations are set out in brief below.

Investigation 1: This investigation concerned a complaint relating to a possible violation of scientific integrity in an article (withdrawn by the authors). The investigation was in the first instance carried out by the principle employer of the accused. The investigation of the EUR subsequently focused on the three articles with EUR affiliation. On the basis of the available information, no violation was demonstrated in these articles. However, in at least two publications of the accused, there was data fabrication and scientific misconduct. In addition, the accused had not cooperated with the investigation and no raw data was available from the co-authors. The conclusion of the investigation was therefore that there are doubts in respect of the scientific integrity of articles and that the accused had violated the principles of sound scientific research. There were no indications that the co-authors had been aware of, or that they had been involved in, the scientific misconduct.

Investigation 2: This investigation related to an unreported departure from an approved research protocol. The committee was of the view that the observed carelessness in carrying out scientific research must be viewed as misconduct but that it could be concluded that:

In view of the nature and the scope of the carelessness;

the expectation that the result had not influenced the research;

and patient safety appeared not to have been compromised, the seriousness of this misconduct was limited.

Investigation 3: This investigation related to the possible obtaining of authorship of scientific publications on unjustified grounds, whether the research of the accused was and will be set up and carried out in accordance with the relevant rules and guidelines and whether the METC has been informed in the correct manner. The committee concluded that there were no indications that scientific integrity had been violated.

In 2016, three investigations which were declared admissible in 2015 were completed by the CWI.

Table 2 Number of complaints handled by CWI

	2016	2015	2014	2013
Admissible	3	3	2	0
Partially admissible	0	1	0	0

Inadmissible	0	1	0	0
Total	3	5	2	0

* Only follow-up investigations were conducted in 2013

** The complaints for 2013 were not registered in this manner