

Research Data Rules of Heinrich Heine University Düsseldorf

I. Preamble

According to § 3 of the University Act of North Rhine-Westphalia (HG NRW), the task of Heinrich Heine University Düsseldorf is the acquisition of scientific and scholarly knowledge as well as the fostering and development of the sciences through research. The availability of research data is a particular aspect of good scientific practice, which is already laid down in the Rules on the Principles for Safeguarding Good Scientific Practice at Heinrich Heine University Düsseldorf of the 19th of February 2014. The planning, collection, processing, retention and sustained provision of research data must satisfy recognized standards and exacting requirements, so that research results are comprehensible and verifiable and the data can be utilized over the long term. For this reason and on the basis of the recommendations of the 16th German Rectors' Conference (Hochschulrektorenkonferenz) of the 13th of May 2014, these rules issued by the President's Office of Heinrich Heine University Düsseldorf create a central framework for work with research data. Which specific and subject-related form this takes is the responsibility of the various academic fields.

II. Scope

1. **Research data** are all data gathered, observed, simulated, derived or generated in the course of research processes. This applies regardless of the subject, format or method applied. Recorded in particular are primary data, secondary analyses, visualizations, models, analysis tools, collections of objects or products which are produced and used during scientific and scholarly work.
2. **Primary research data** are data accrued in the course of studying source material, experiments, measurements, surveys or polls. They form the basis for scholarly and scientific publications.
3. **Research data management** comprises:
 - a. Planning and recording
 - b. Processing and saving
 - c. Retention, access and use
4. Any **provisions specified by providers of third-party funding** take precedence over these rules.

III. Principles

1. Responsibility

- a. The members of Heinrich Heine University who are engaged in independent research are responsible for the management of research data within their projects. Responsibility commences with the creation of the data and ends with their final deletion.
- b. These principles apply in the framework of collaborative research work insofar as the other parties involved do not specify any equivalent or more stringent provisions.

2. Adherence to legal parameters and standards

In the framework of research data management, legal provisions, recognized standards of good scientific practice as well as any subject-related principles must be observed. In particular data protection and copyright laws, legislation regarding confidential information and rules specified in contracts with providers of third-party funding must be respected. Personal data of persons affected by the collection of data must – as far as is possible in the framework of standards pertinent to research – be rendered anonymous. Alternatively, pseudonyms must be used.

3. Establishment of a Data Management Plan and subject-specific rules

- a. The parties responsible for research projects with research data must establish a **Data Management Plan** for such projects. This must include, in particular, provisions for the authenticity, integrity, completeness, confidentiality and publication of data under consideration of subject-specific particularities. Which data must be retained for how long must be specified.
- b. The departments and faculties may establish **subject-specific rules** for typical, data-intensive research projects.
- c. Heinrich Heine University Düsseldorf supports the parties responsible by providing suitable information regarding how to establish a Data Management Plan.

4. Documentation and data retention obligations

- a. The parties responsible for a research project document the entire research cycle as well as all instruments and processes used.
- b. The parties responsible for a research project ensure that the primary research data on which any publication is based are retained and accessible in case of doubt.

5. Citation, ownership and rights

- a. Data must be personally marked and filed under the name of the person responsible.
- b. In case of doubt, any copyright or neighbouring rights to data, in particular database rights (§ 87a Copyright Act (UrhG)), remain the property of the parties responsible. This encompasses in particular the right to use the data further or to publish it. For data which are the basis of protectable intellectual property, the obligation to submit an Invention Disclosure Form in accordance with §§ 5, 42 No. 2 of the Law on Employees' Inventions (Arbeitnehmerfindungsgesetz) categorically applies.
- c. Deviating contractual agreements, in particular in the framework of third party-funded projects, remain unaffected.

6. Data storage rules

- a. Storage of research data follows recognized standards or alternatively standards defined in the Data Management Plan.
- b. Digital research data are stored and archived in a system provided by the Centre for Information and Media Technology of Heinrich Heine University Düsseldorf (Zentrum für Informations- und Medientechnologie) or in approved external or in-house specialist repositories. Insofar as data is stored in external repositories, the Centre for Information and Media Technology (Zentrum für Informations- und Medientechnologie) is to be notified.
- c. Data are described using suitable metadata, which are specified, where possible, in the Data Management Plan, and protected against changes by means of a time stamp and an authorized electronic signature.

7. Retention period, archiving

- a. Research data which form the basis for a publication must be archived for the long term in a suitable and trustworthy data archive or repository and/or published. They are part of researchers' scientific and scholarly accomplishments.
- b. Primary research data must be saved on secure and durable data media for ten years after the end of the project in accordance with the "Proposals for Safeguarding Good Scientific Practice" of the German Research Foundation (DFG – Deutsche Forschungsgemeinschaft) of 1998 as last amended in 2013. Further retention obligations by virtue of legal provisions as well as protection measures (e.g. access controls for personal data, identification of sources by means of digital watermarks for the prevention of theft or plagiarism) remain unaffected.

8. Access and dissemination

- a. The parties responsible specify at which point in time and under which legal conditions research data are made accessible.
- b. Heinrich Heine University Düsseldorf recommends that research data as well as the scientific publication of these data are made publicly accessible in accordance with the Open Access Resolution of Heinrich Heine University Düsseldorf, insofar as there are no legal obligations to the contrary (e.g. contracts with publishers, data protection).

IV. Financing

1. Heinrich Heine University Düsseldorf provides a central storage service for research data at the Centre for Information and Media Technology (Zentrum für Informations- und Medientechnologie). In the case of any special requirements, an individual solution must be arranged beforehand.
2. Data storage at the facilities of external providers or due to provisions specified by providers of third-party funding remains unaffected.

V. Research data management as an element of Good Scientific Practice

To establish and develop high-quality research data management in the long term, the principles of good scientific data processing must be addressed in the framework of instruction in good scientific practice.

VI. Review and revision

1. These Research Data Rules are continuously reviewed with regard to their consistency with the respective scientific standards and with common practice. In order to ensure compliance with prevailing standards, they must be amended at the latest three years after their entry into force.
2. The President's Office is responsible for adherence to these rules and for amendments made to them.

VII. Entry into force

These rules enter into force on 26.11.2015.

Issued on the basis of the resolution of the President's Office of 26.11.2015

President

of

Heinrich Heine University Düsseldorf

Prof. Dr. Anja Steinbeck