



Universität Stuttgart

Englische Übersetzung der Amtlichen Bekanntmachung Nr. 11/2024

Herausgegeben im Auftrag des Rektorats der Universität Stuttgart

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15.05.2024

Gemäß § 1 Absätze 1 bis 3 und § 3 Absätze 1, 2 und 4 der Satzung über Bekanntmachungen der Universität Stuttgart vom 20. Februar 2017 (Amtliche Bekanntmachung der Universität Stuttgart Nr. 11/2017 vom 1. März 2017) wird hiermit amtlich bekannt gemacht:

Guidelines of the University of Stuttgart on the handling of cases of abuse of power and exploitation of dependent relationships

February 7, 2024

Der rechtlich verbindliche Volltext der oben bezeichneten Bekanntmachung ist in der Zentralen Verwaltung der Universität Stuttgart, Keplerstr. 7, 70174 Stuttgart, im Zimmer 0/9 (Erdgeschoss) während der Sprechzeiten einsehbar.

Dauer des Aushangs: vom 15.05.2024 bis 03.06.2024

Der Volltext der oben bezeichneten Bekanntmachung ist auch in digitaler Form unter:

<https://www.uni-stuttgart.de/universitaet/aktuelles/bekanntmachungen/>
zu finden und steht zum Download zur Verfügung. Rechtlich verbindlich ist die im oben genannten Zimmer einsehbare schriftliche Fassung.

Guidelines of the University of Stuttgart on the handling of cases of abuse of power and exploitation of dependent relationships

February 7, 2024

In addition to the Statutes of the University of Stuttgart for Ensuring Good Scientific Practice and Handling Misconduct in Science dated July 11, 2023 as well as the Quality Assurance Concept for Doctoral Studies and the Guidelines of the University of Stuttgart on the Handling of Cases of Discrimination as well as Sexual Harassment and Sexualized Violence dated October 25, 2022, the Rectorate adopted the following Guidelines on the Handling of Cases of Abuse of Power and Exploitation of Dependent Relationships on December 19, 2023.

Preamble

The university upholds integrity as the guiding principle of scientific practice. We let our actions be guided by the rules of good scientific practice as laid out in our own statutes and in the relevant guidelines of the German Research Foundation. Our "Code of Conduct" lays out guidelines defining our social and personal responsibilities as well as how we interact with each other in order to ensure respectful behavior in everyday life at the University of Stuttgart.

I. General principles

The University of Stuttgart is a space of (academic) freedom, a place where people teach, study, work and conduct research. The University of Stuttgart expects its members and affiliates to treat each other with respect and appreciation and sees this as a necessary requirement for creating a place of study and work where university members can realize their potential and feel comfortable. The University of Stuttgart does not tolerate any behavior in the work and study environment that violates the dignity and integrity of other individuals or inappropriately restricts their rights and freedoms.

Due to the different roles taken on by members and affiliates of the university within the organizational structure of scientific practice, certain power relations exist within the field. The University of Stuttgart recognizes that in some cases power asymmetries and dependent relationships may engender discrimination or violence. The University of Stuttgart considers it its duty to effectively protect its members from such discrimination and violence, to take preventive action, to punish wrongful conduct and to establish a transparent process for dealing with cases of abuse of power and exploitation of dependent relationships. The University of Stuttgart strives to establish suitable organizational measures at every level to prevent the abuse of power and the exploitation of dependent relationships.

These guidelines form the basis for related efforts.

The aim of these guidelines is to provide information, raise awareness and to draw increased general attention to the abuse of power and the exploitation of dependent relationships in the academic context, especially in scientific practice. These guidelines establish a regulated process concerning adherence to the principles of the rule of law, compliance with a correct and transparent code of conduct and procedure, and protective measures for persons under

direct threat. Furthermore, the guidelines propose measures to prevent the abuse of power and the exploitation of dependent relationships.

The guidelines are intended as a systematic plan of action and are open for further amendments at any time.

II. Definitions and context

Power and the legitimate exercise of power:

Power as such is not intrinsically good or bad. Power and the exercise of power are necessary to regulate processes in hierarchical structures. What is important is how persons holding power understand and exercise their position. Those in positions of power have a responsibility to support staff, doctoral candidates and students and to create an environment in which everyone feels supported and encouraged to give their best. Exercising power in this way is legitimate in the sense that it serves the overall goals of the university and of its active members. Those in positions of power should establish a suitable communication structure, an objective approach to dealing with mistakes and an open feedback culture.

Power is fundamentally immanent in social systems, including the higher education system. A quality assurance system provides checks and balances for those dependent on the integrity of those in leadership positions. Supervisors of early career researchers hold power in both formal and informal aspects, regarding:

- the formal role of supervisor and examiner,
- the informal structure of an institute or department:
 - the distribution of social roles,
 - implicit expectations with regard to performance, working hours, attendance, responsiveness,
 - the communication culture.

Dependent relationships:

A dependent relationship is a relationship in which one person is dependent on another person or is decisively influenced or controlled by another person.

Dependency implies taking responsibility for one another.

In the academic world, early career researchers in particular are structurally and personally dependent on their academic supervisors, who are often also their superiors in the workplace.

Dependent relationships exist in the following areas:

- Early career researchers: due to the supervision situation and assessment during qualification, due to the evaluation of junior professors, and due to hierarchical structures in the academic system;
- Employees: due to the employment relationship and in some cases fixed-term contracts.

Some dependent relationships may belong to both categories, in which case the supervisor must think and act with a particularly high sense of responsibility.

Abuse of power:

Abuse of power occurs when individuals do not properly carry out the responsibility associated with their position, exploit their own position (of power) for personal or other improper interests and/or harm other people in their professional environment and further development. There are various mechanisms through which power may be abused, ranging all the way to systematic bullying.

Abuse of power in research has many different levels of occurrence and impact. Avoiding spaces of opportunity and opportunity structures for the abuse of power and (supervision) conflicts is therefore a central component of good scientific practice.

III. Measures to prevent the abuse of power and the exploitation of dependent relationships

In order to prevent the abuse of power, members and affiliates on all levels of the university must be made aware of the guidelines for interpersonal interaction and working culture at the University of Stuttgart as defined in the “Code of Conduct”¹.

The university considers the prevention of power abuse part of good scientific practice. In addition to the principles defined in the “Statute for Ensuring Good Scientific Practice”, further measures preventing the abuse of power are necessary.

Potential preventive measures include:

- the implementation of feedback strategies between supervisor and supervisee to prevent conflicts and to support error management,
- general offers in the training and further education of supervisors in the areas of personnel management and personal development, such as the Leadership Development Concept of the University of Stuttgart,
- a specific leadership seminar for academic supervisors responsible for supervising doctoral students, covering the topics of communication, conflict resolution, supervision and recognizing behavior that violates the code of conduct or safety regulations,
- GRADUS seminars on rights and obligations for doctoral candidates and early career researchers as part of the onboarding process,
- the conclusion of a binding agreement on doctoral studies at the beginning of the doctoral period (in accordance with the doctoral regulations), in which the roles of the supervisors, the expectations of both parties (doctoral candidate and supervisor), the dissertation topic or subject area of the doctorate and the conflict resolution procedure are specified in detail,
- quality assurance through co-supervision by an academically independent, university-external second supervisor or assessor authorized to confer doctoral degrees, to be included in the agreement on doctoral studies.
- The agreement on doctoral studies and other suitable measures developed as part of the quality assurance concept for doctoral studies establish continuous exchange between supervisors and early career researchers.
- Doctoral students, habilitation candidates and postdocs sign a written agreement with their supervisors that guarantees them access to their own research data and results as well as to the infrastructure required to carry out their research project. The agreement guarantees

¹ <https://www.uni-stuttgart.de/en/university/profile/diversity/code-of-conduct/>

that doctoral candidates, habilitation candidates and postdocs can complete their research project within an appropriate time frame.

IV. Responsibilities of supervisors and persons with management/leadership duties in the scientific field

The duties of those in personnel management and leadership positions as well as the distribution of responsibilities in scientific working units of the University of Stuttgart are regulated in the Statute for Ensuring Good Scientific Practice (see in particular Section 2).

V. Procedural principles for dealing with suspected or substantiated cases of abuse of power and exploitation of dependent relationships

Reporting cases of abuse of power or the exploitation of dependent relationships:

In addition to directly contacting the person or persons concerned, those affected as well as third parties can also turn to the respective contact persons and advisory services at the university that will initiate further steps if necessary. All contact persons and advisory centers are obliged to treat all information as strictly confidential to the extent permitted by law.

The University of Stuttgart has appointed an ombudsperson for each of the following three fields: engineering, natural sciences, and humanities, social sciences and economics. A further ombudsperson (“ombudsperson teaching and doctoral degree studies”)² has also been appointed by the University of Stuttgart. The University of Stuttgart also provides a portal³ containing information about further contact points and contact persons enabling anonymous reporting via an electronic advice and complaints portal.

Affected persons have the right to submit a written or verbal complaint to one of the ombudspersons or contact persons listed on the university website “University without discrimination”⁴ and in the University of Stuttgart’s diversity concept. Further steps should only be taken if the person concerned consents to these or if the person’s anonymity is guaranteed. After an initial confidential discussion, various informal and formal approaches are possible. These are defined in the Statute of the University of Stuttgart for Handling Misconduct in Science.

VI. Measures and consequences in cases of abuse of power or exploitation of dependent relationships

Suitable measures and support services should be implemented to prevent the abuse of power and the exploitation of dependent relationships.

In the event of an occurrence of abuse of power or exploitation of a dependent relationship, protective measures are initiated for the person concerned and for witnesses where necessary; this includes, for example, safeguarding the further career development of doctoral candidates, postdocs and junior professors. In general, none of the persons involved may suffer any

² <https://www.student.uni-stuttgart.de/en/counseling/ombudsperson/>

³ <https://uni-stuttgart.evermood.com/>

⁴ <https://www.uni-stuttgart.de/en/university/profile/diversity/anti-discrimination/>

disadvantages until the formal proceedings have been concluded. The presumption of innocence applies until proven otherwise.

Despite preventive measures, interpersonal interactions continue to be vulnerable to conflicts, abuse of power or the exploitation of dependent relationships. If individuals exhibit behavior that violates the Code of Conduct repeatedly or in a particularly severe way, consequences for the person in question must be considered.

General measures in the event of a conflict:

- Ombudspersons can initiate a feedback meeting with the rectorate if they deem it necessary during the course of the process.
- If the supervisor terminates the agreement on doctoral studies, the doctoral committee is obliged to find a new supervisor in the event of a conflict. In the event of an irresolvable conflict, the doctoral candidate may terminate the supervisory relationship; sentence 1 applies accordingly. After consultation with the doctoral candidate, the doctoral committee then appoints a new supervisor who can be appointed as a reporter in accordance with Section 7 Para 3 of the Doctoral Degree Regulations (Promotionsordnung, PromO).

Specific measures for early career researchers:

The university recognizes that substantiated cases of supervision conflict may delay research schedules, even beyond the previously agreed project duration. In serious cases, options for extending the contract should be considered.

Specific measures for supervisors:

- Personalized coaching sessions on topics such as personal management style, setting and accomplishing goals, etc. are offered for specific target groups. In proven cases of abuse of power or exploitation of dependent relationships, the university deliberates and implements measures in accordance with the provisions of public service and labor law.
- In the event of an occurrence of abuse of power or exploitation of dependent relationships, appropriate training courses are offered to academic supervisors.
- Proof of participation in a seminar on personnel management skills and early career researcher supervision should be made a fixed component of the target agreement for newly appointed professors.

Entry into force

These guidelines enter into force on the day following their publication in the Official Announcements of the University of Stuttgart.

Stuttgart, March 25, 2024