

Scientific Integrity Complaints Procedure of the Princess Máxima Center for Pediatric Oncology

This procedure was adopted by the Board of Directors of the Princess Máxima Center for Pediatric Oncology (hereinafter referred to as the "Princess Máxima Center") on April 11, 2016 and has been submitted to the Works Council for approval.

Introduction

The Princess Máxima Center wants to cure every child with cancer, with the best quality of life possible. In order to achieve this goal, it is important to intensify research into pediatric oncology in addition to the provision of top-quality healthcare. Healthcare and research have therefore been integrated at the Princess Máxima Center: If pediatric oncology is to be taken a step further, the lab and the clinic should not be regarded as separate "departments."

Research plays a prominent role at the Princess Máxima Center and is crucial for increasing children's chances of survival and reducing late effects. The Princess Máxima Center aims to become the best scientific research institute in the field of pediatric oncology in Europe. In addition, it wants to be able to compete with top research institutes in the field of pediatric oncology outside Europe, such as the St. Jude Children's Research Hospital in the United States. The Princess Máxima Center wants to set up an international top research institute with top scientific talent from both the Netherlands and abroad.

Everyone involved in research at the Princess Máxima Center bears personal responsibility for preserving scientific integrity. To this end, the general principles of professional scientific conduct should be respected at all times. The Dutch Code of Conduct for Scientific Integrity (VSNU 2018) elaborates on these principles, which are endorsed by the Princess Máxima Center and further elaborated and explained in the Princess Máxima Center Research Code.

One of the means of verifying scientific integrity is the right to complain if staff members at the Princess Máxima Center are (suspected of) breaching scientific integrity. We would appreciate it if complaints about scientific conduct were reported to us, as it gives us the opportunity to find a solution and helps us to guarantee scientific integrity.

Article 1. Definitions

For the purposes of applying the provisions laid down in this complaints procedure, the terms below have the following meanings:

- a) **Institution:** the Princess Máxima Center for Pediatric Oncology.
- b) **Committee:** the committee set up by the Board of Directors to handle complaints about breaches of scientific integrity.
- c) **Breach of scientific integrity:** an act or omission in violation of the Dutch Code of Conduct for Scientific Integrity.
- d) **Complaint:** a report about (a suspicion of) a breach of scientific integrity committed by a staff member.
- e) **Complainant:** the person who files a complaint with the committee, whether or not via the Board of Directors or the confidential counselor.
- f) **Suspect:** the staff member of the institution whose conduct is the subject of a complaint.
- g) **Staff member:** a person who has or had an employment contract with the institution or who is or was employed in any other way under the responsibility of the institution.
- h) **Confidential counselor:** the person designated by the Board of Directors as confidential counselor on scientific integrity.
- i) **LOWI:** *Landelijk Orgaan voor Wetenschappelijke Integriteit* (National Body for Scientific Integrity).
- j) **Chair:** Chair of the Scientific Integrity Committee.
- k) **Secretary:** official secretary of the Scientific Integrity Committee.
- l) **Principal Investigator:** the person who manages the staff members appointed within their group.
- m) **Scientific Advisory Board:** the Scientific Advisory Board of the Princess Máxima Center.
- n) **Supervisory Board:** the Supervisory Board of the Princess Máxima Center.
- o) **Board of Directors:** the Board of Directors of the Princess Máxima Center.

Article 2. Purpose of the Complaints Procedure

The purpose of the complaints procedure is to:

- a) Promote scientific integrity at the Princess Máxima Center and take responsibility for the conduct of any investigator carrying out scientific work inside the center;
- b) Be receptive to all complaints about the scientific integrity of its investigators and investigate substantiated suspicions;
- c) Do justice to the complainant and the suspect(s);
- d) Create a possibility for restoring the relationship between the complainant and the suspect(s) and the institution, based on mutual trust and equality.

Article 3. Complaints

Article 3.1 Method of filing complaints

- 1. Everyone has the right to file a complaint with the committee, either through the Board of Directors or through the confidential counselor.
- 2. If the complaint concerns a member of the Board of Directors, the complaint may be filed with the committee, either through the Supervisory Board or through the confidential counselor. In that event,



the committee will advise the Supervisory Board and exercise the powers set out in Article 6.

3. A complainant can file their complaint with the institution in one of the following three ways:
 - a) verbally or in writing to the confidential counselor;
 - b) in writing to the committee.
4. A complaint filed with the Board of Directors is immediately forwarded to (a delegation of) the committee.

Article 3.2 Cooperation

Everyone is obliged to give the confidential counselor and the committee, within a reasonable period of time, all cooperation that they may reasonably request in the exercise of its powers.

Article 4. Confidential counselor

Article 4.1 Tasks of the confidential counselor

The confidential counselor:

- a) Acts as a point of contact for questions and complaints about scientific integrity;
- b) Attempts, if they see opportunities to this end, to mediate or otherwise resolve the complaint;
- c) Shows the complainant the way to filing a complaint with the committee.

Article 4.2 Appointment of the confidential counselor

1. The Board of Directors appoints one or more confidential counselors for a period of four years (having heard the chair of the Scientific Advisory Board). Reappointment for a consecutive period of four years is possible.
2. Requirements for appointment:
 - the candidate is a principal investigator at the Princess Máxima Center with extensive experience in research and education,
 - the candidate enjoys an impeccable scientific reputation;
 - the candidate is able to deal with differences of opinion and conflicts.
3. The Board of Directors may terminate the appointment prematurely:
 - at the confidential counselor's own request;
 - at the end of the confidential counselor's employment;
 - if the confidential counselor no longer meets the requirements for appointment;
 - on account of unsatisfactory performance as a confidential counselor (having heard the chair of the Scientific Advisory Board).
4. The members of the Supervisory Board and the members of the Board of Directors are not eligible for appointment as confidential counselors.

Article 4.3 Accountability and confidentiality

1. The confidential counselor retrospectively reports on their activities to the Board of Directors in an annual report for the institution's annual report.
2. The confidential counselor is obliged to maintain confidentiality with regard to what has come to their attention in that capacity.

Article 5. The committee

Article 5.1 Tasks of the committee

The committee has the following tasks:

- a) Investigating complaints, forming an opinion on the merits of the complaints dealt with by the committee and then advising the Board of Directors on the basis of this opinion on any necessary measures resulting from this opinion;
- b) The committee provides the Board of Directors with solicited and unsolicited advice on the institution's prevention policy on breaches of scientific integrity following complaints handled by the committee as well as complaints received by the institution and dealt with by means of mediation.

Article 5.2 Powers

The committee has the power:

- a) To gather information from all staff members and bodies of the institution. It may require access to all documentation and correspondence that it considers relevant to the assessment of the complaint;
- b) To hear or consult witnesses and experts, regardless of whether they are affiliated with the institution. A report will be made of the hearing or consultation;
- c) To hear or consult the suspect. A report will be made of the hearing or consultation.

Article 5.3 Appointment and composition of the committee

1. The Board of Directors forms a Scientific Integrity Committee (having heard the chair of the Scientific Advisory Board).
2. The committee consists of the chair and at least two other members. At least one of the members is a lawyer. The committee is officially supported by a lawyer.
3. For the investigation of a complaint, the committee may temporarily be extended to include experts who may or may not be affiliated with the institution.
4. The chair and the members of the committee are appointed by the Board of Directors for a period of four years. Reappointment for a consecutive period of four years is possible.

5. Requirements for a member other than a lawyer:
 - the candidate is a principal investigator with extensive experience in research and education;
 - the candidate enjoys an impeccable scientific reputation;
 - the candidate is able to deal with differences of opinion and conflicts.
6. The Board of Directors may terminate the appointment prematurely:
 - at the relevant committee member's own request;
 - if the confidential counselor no longer meets the requirements for appointment;
 - on account of unsatisfactory performance as a committee member (having heard the chair of the Scientific Advisory Board).
7. The members of the Supervisory Board, the members of the Board of Directors and the confidential counselor are not eligible for appointment as chair or member of the committee.

Article 5.4 Procedure

1. Insofar as the committee's operating procedure has not been laid down in this or any other regulation, it will be determined by the chair.
2. Members of the committee who are in any way involved with the persons or facts to which the complaint relates are not eligible to deal with a complaint.
3. The committee assesses the admissibility of the complaint on the basis of criteria such as:
 - a) a clear description of the (suspected) breach of scientific integrity by one or more staff members of the institution;
 - b) the documents or other evidence relating thereto;
 - c) mention of the complainant's name, job title and contact details;
 - d) At the request of the Board of Directors, the committee may investigate a complaint without knowing the identity of the complainant.
4. The committee is authorized not to handle a complaint if:
 - a) In its opinion, the breach was committed too long ago;
 - b) In its opinion, the complainant has waited an unreasonably long time before filing the complaint;
 - c) The complaint has already been investigated previously or, in its opinion, has been declared manifestly unfounded or manifestly insufficiently material.
5. The committee may offer the complainant the opportunity to elaborate on the complaint within a period set by the committee.
6. The committee decides on the admissibility of the complaint within three weeks of receipt of the complaint. If it concludes that the complaint is inadmissible, it will immediately advise the Board of Directors on the matter.
7. If the committee considers the complaint to be admissible, this will be reported to the Board of Directors and the committee will deal with the substance of the complaint.

- The committee will hear the parties involved in the complaint who, in its opinion, qualify for the purpose. A report will be made of the hearing.
 - During the hearing, the complainant and the suspect may be assisted.
 - The parties concerned will be heard in one another's presence, if there is reason to do so. Any absent person(s) concerned will be informed of the proceedings during the hearing by means of a report.
 - The committee may hear witnesses and experts.
8. Within twelve weeks of receipt of the complaint, the committee advises the Board of Directors on the merits of the complaint. If the committee is unable to issue its opinion on the complaint within the aforementioned period, it will notify the complainant and the Board of Directors in writing, stating the period within which it will issue its opinion on the complaint and stating its reasons.
 9. The sessions of the committee are not public.

Article 5.5 Accountability and confidentiality

1. The committee accounts for its activities to the Board of Directors in an annual report for the institution's annual report.
2. The members and the secretary of the committee and any experts consulted are required to maintain confidentiality with regard to any information that has come to their attention by reason of their involvement in the committee. They themselves are responsible for the proper filing and destruction of the committee's documents. The secretary manages the committee's archives.

Article 6. Follow-up procedure

1. The Board of Directors adopt its initial opinion within four weeks of receipt of the committee's advice. It will inform the complainant and the suspect immediately of its opinion in writing. The committee's advice will be enclosed with the initial opinion.
2. Within six weeks of receipt of the notification from the Board of Directors, the complainant and the suspect may request the LOWI to issue advice on the initial opinion of the Board of Directors, insofar as this concerns the breach of scientific integrity. Upon request, the committee will immediately send a copy of all documents relating to the complaint to the LOWI.
3. If the complainant or the suspect does not request the LOWI's advice within the period referred to under 2, the Board of Directors will adopt its opinion.
4. If the advice of the LOWI is requested, the Board of Directors will take the LOWI's advice into account in its opinion.

Article 7. Publication

After completion of the procedure, the LOWI's advice is published on the LOWI's website in an anonymized form.

Article 8. Press

Any communications to the press about a complaint are sent by the Corporate Communications Department on the instructions of the Board of Directors, after consulting with the institution's staff member(s) directly involved and the committee, as well as with the consent of the complainant concerned. The suspect(s) must give explicit permission for communications with the press. However, if the interests of the Princess Máxima Center outweigh the reasons for refusing permission, the press may be informed without the consent of the suspect(s). The right of the suspect(s) to give their consent also lapses if they have approached the press themselves.

Article 9. Protection of persons involved

Filing a complaint under this regulation may not lead to any disadvantage, directly or indirectly, for the complainant or suspect, unless the complainant or suspect person did not act in good faith. The same applies to witnesses, experts, confidential counselors or committee members.

Article 10. Amendment to the complaints procedure

This complaints procedure can only be amended by the Board of Directors.

Article 11. Entry into force and publication of complaints procedure

This complaints procedure enters into force as soon as it has been adopted by the Board of Directors. This complaints procedure will be submitted to the institution's works council for approval. Once adopted by the Board of Directors, this complaints procedure will be published on the institution's website.

Article 12. Final provision

In all cases where this complaints procedure does not apply, the Board of Directors will decide, having heard the committee.